



UNSC
United Nation's Security Council

STUDY GUIDE



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Introduction

The United Nations Charter established six main organs of the United Nations (UN), the Security Council makes up one of the six. The Council is mandated to maintain international peace and security in the world.

The Charter also outlines three other responsibilities of the Security Council which include: developing friendly relations among nations; cooperating in solving international problems and promoting respect for human rights and finally to be the hub of harmonization of the actions of nations.

Each member of the UN concedes to and execute the decisions of the Security Council. Other organs of the UN can make recommendations; however, the Council stands as the only organ that has the power to make decisions which member states are obligated to enforce under the Charter.

The Security Council held its first session on 17th of January 1946 at Church House, Westminster, London. Since then the meetings have been held at the UN headquarters in New York City. The Council is made of permanent members (the P5) and ten non-permanent members who are elected for terms of two years. The P5 members are The People's Republic of China, France, the Russian Federation, the United Kingdom and the United States. The other ten members are elected by the General Assembly and are allocated to three African states; two Asia-Pacific states, two-Latin American states, two Western European states and one Eastern European state. Every year, five of these ten positions are up for elections. The Presidency of the Council rotates monthly amongst the members.

Under Article 27 of the Charter, the Council decisions on substantive matters require the affirmative votes of nine members, and the concurrent vote of the P5. This means a negative vote or "veto" by one of the permanent members immediately prevents the adoption of a proposal, even if it has the necessary nine votes. In other words, if one of the P5 members,





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votes down a topic or resolution; the Council cannot approve that topic or resolution. Abstention, is not seen as a veto power, even though the five permanent members must concur to change the Charter or to recommend the admission of a new UN member state. Procedural issues still require 9 affirmative votes, but the P5 concurrency rule does not hold, therefore the issue can at least be discussed and brought to the attention of the Council.

The veto power was not highly favored by the rest of the international community at first, but they finally conceded when the United Nations was at risk of failing without the presence of the US, UK, Russia, China and France. It is also noteworthy to point out that the Security Council is the only organ of the United Nations that can take binding actions. Their decision supersedes the national sovereignty of states in cases of imposing sanctions under Article 41 of the United Nations Charter or authorize military force under Article 42. However, the council can only invoke these articles if the issue is labelled as a "Chapter VII" Resolution, where the Council takes action with respect to "threats of peace, breaches of peace or acts of aggression." If any of these situations are explicitly acknowledged in the preambles of the resolution, it is considered a Chapter VII resolution. Certain resolutions discussing the situation in Darfur has been classified as 4 Rules and Procedures of the General Assembly, 142-144. 5 Kennedy, P. (2006) The Parliament of Man 3 chapter 7. Most council resolutions however are nonbinding resolutions using pacific means of de-escalation, which are known as Chapter 6 resolutions, which include resolutions related to all four briefings discussed in this guide. Alternatively, the Security Council can also seek regional resolutions to conflicts through Chapter 8 of the Charter, which are also non-binding but are often based on a bilateral or multilateral security agreement between parties which would be included in the Annex section of the resolution.





TOPIC AREA: Asia's war against drugs

History of the Situation:

Asia's drug related crisis has been years in the making and is mainly attributed to two geographical areas: The Golden Crescent and the Golden Triangle.

The Golden Crescent is the name given to one of Asia's two principal areas of illicit opium production consisting of three countries: Afghanistan, Iran and Pakistan, which are major producers and consumers of opium related illicit drugs such as Heroin. Relatively less, but still very significant is the Golden Triangle which is found in South-east Asia and overlaps three countries: Myanmar, Laos and Thailand. These countries are and have been the prime sources of illicit opium production with the Golden Crescent being the older and more significant one. Before World War 2, in the 1930's and later years' heroin was largely produced in China. While Chinese-grown opium was used entirely for domestic consumption, some amount of it was exported to countries like the US. Raw opium from the other production centers was often exported to feed the growing worldwide demand for the drug during this period. In the late 1930's and early 1940's, Persia was another hub where opium trade was very prevalent and stood as a transit point which opened up to the West. At the same time, opium cultivation was known amongst tribal people such as the Hmong and Mien in Laos. At about the same time, after the Hmong settled in Laos, the government of French Indochina openly and aggressively promoted opium cultivation. This was supported by the French opium monopoly, called the Opium Régie. Simultaneously, Britain ruled Burma also had opium cultivation as a flourishing business which was supported by the British, which also had processing factories and farms in Neemuch and Ghazipur, India. However, when World War 2



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broke out, most opium trade routes which were used by France in India and Persia were blocked, which forced France to encourage the Hmongs in Laos to expand production into neighboring countries such as Myanmar and Thailand, which only increased cultivation in those countries. The result was an 800% increase of opium cultivation in that region, just within four years.

After World War 2 broke out, Burma, which is now Myanmar, gained its independence from the British and opium production went out of control, more specifically in the Shan State, where we would see the future warlord and controller of major drug operations, KhunSa.

In 1949 when Pakistan was established after separation from India, it was already in shambles and its economic, political and social state was in a very dire situation. Pakistan, which shared its borders with Afghanistan, which was then a major cultivator of opium, adopted the opium culture from Afghanistan. This time period also marked the beginning of one of the most contested rivalries, the Cold War. In this period, western powers such as USA and France were majorly against communism, which led them to take measures that were not only unethical, but are one of the major reasons why the opium culture spread like wildfire in Asia. In order to contain the spread of communism, the CIA forged alliances with Southeast Asian tribes and warlords and rebel groups, in countries of the Golden Triangle, so US could have some power on the south-eastern border of China. To fund their operations, rebel groups pushed opium farmers to increase production and trade. This took place throughout the 1950's and 1960's which allowed opium production to increase 20 fold. Similarly, French occupied Laos also used opium cultivation to fund their war against communism. This resulted in an explosion in the availability and illegal flow of heroin all across the world. It is important to note that Myanmar, at this stage, and till 1962, has not outlawed opium cultivation, which allowed major operations and factories to be set up. As a result of the work of the CIA and France, Laos and Myanmar was plagued by opium cultivation and drug related violence by rebel groups and tribes which were heavily funded by USA and France.





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Although Thailand was not a major opium cultivating country, it was certainly one which consumed heroin and through which, many trade routes were mapped, which enabled easy access of the drug in Thailand. A major drug trafficker and drug lord, who was dubbed the 'King of The Golden Triangle', was KhunSa, who created his own militia in 1963 and set up his own operations across the world. The Soviet invasion in Afghanistan took place in 1979/80 and lasted till 1989. Throughout this ten-year period, the Afghan government kept on losing power over provinces which allowed the already powerful drug lords to flourish and expand their business of opium production. According to the United Nations, regional commanders, who were previously not into any drug related operations resorted to opium cultivation as means of income to buy weaponry. It was alleged that the CIA supported drug production in Afghanistan in order to make money for the Afghan resistance. Alfred McCoy also stated in an interview that US supported major drug lords in Afghanistan such as GulbuddinHekmatyar and Haji Ayub Afridi. After the Soviet Army withdrew in 1989, there was a major power vacuum in Afghanistan with the government losing its power and there being no other governing power to run the country. As a result, major Mujahedeen factions started fighting against each other for power, which was financed by a higher volume of poppy cultivation. Alongside, Afghanistan's neighbor Pakistan was largely affected as major volumes of drugs spilled into Pakistan, from Afghanistan through porous borders. While Afghanistan, Iran and Pakistan majorly ramped up production, cultivation and consumption, the Golden Triangle was at its peak by yielding 2500 tons of poppy annually.

The United States' Drug Enforcement Administration estimated that, in 1990, 45 per cent of the entire global supply of heroin originated from the Golden Triangle, wherein, KhunSa controlled 70% of all drugs flowing out of that region. However, in the Taliban era from 1994-2001, Afghanistan alone beat the Golden Triangle by yielding 4500 tons of poppy. However, this was soon succeeded by a major drop in yields because of the collaboration between then Taliban leader Mullah Mohammed Omar and the UN, which led to the banning of any poppy related activities in Afghanistan. However, this was short-lived as the 2001 invasion of





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US into Afghanistan disrupted the whole governance system following a collapse of the economy. The scarcity of other sources of an income forced farmers and civilians to resort to a profitable occupation of opium cultivation. While US efforts to fight drugs were ramped up, there was major corruption in the Hamid Karzai government as major drug lords held high positions in the government. It was also extremely difficult to stop drug operations from taking place as they contributed to 52%, or \$2.7 billion to the Afghan GDP. There were allegations by officials in the US government that the Karzai government and Taliban played a major hand in the drug trade and that the US military turned a blind eye to such operations. Problems related to drugs such as violence, attacks, addiction and trade have destroyed the economy of Afghanistan and have been on the increase. Currently, the Golden Crescent produces up to 90% of the non-pharmaceutical grade opium in the world and uses Iran and Pakistan as major trade routes which open up to the East and the West of the Globe.

As a result, citizens of both Iran and Pakistan are suffering from drug abuse due to widespread availability of cheap opium. At the same time, Laos and Myanmar are still plagued by the opium culture, while Thailand has taken measures that have curbed drug related activities in the country. Other these two areas, there are drug related activities conducted in countries like India, China and Japan; however, they pose a relatively smaller threat to world peace than what the Golden Crescent and the Golden Triangle has managed to do.

Current Situation:

Asia is the world's most populous continent and most of the countries have an ongoing problem of poverty, education and unemployment. This combination makes Asia a breeding ground for criminal activity. Following the footsteps of the Sinaloa cartel, Cali Cartel and Medellin cartel amongst others the Asian kingpins and gang leaders noticed the plethora of money that can be made through drug trafficking. This led to the creation of major drug





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gangs and corporations in countries such as India, Afghanistan, Myanmar and Laos just to name a few.

Unlike their Latin American counterparts, the criminal groups in Asia learned that their mountains have the perfect conditions for them to cultivate and trade opium and heroin, the two most deadly drugs in the world. All of the world's opium comes from Asia out of which 90% is made in Afghanistan. These two drugs are very cheap to purchase and very easy to cultivate which makes it win-win situation for the drug gangs. They have collected large sums of money from simply smuggling through the borders into countries with high demand for such drugs.

Pakistan is the greatest consumer of heroin with a consumption of 44 tons every year. An important point of discussion is to understand that within Asia there are emerging powers and every country has their own border security to prevent such events from taking place. However, these gangs manage to conduct their activities with absolute ease. This is due to corruption. In the Asian countries most of the members of the police force and army get paid very small amounts of money and these people usually have large families to take care of. This allows the rich criminal groups to pay off these officials in the form of bribes making these borders extremely porous and their operations become extremely easy. This is an issue of concern in many countries as most of the Asian countries suffer from poverty. The two of the biggest corporations in the Asian drug business, the Golden Crescent and the Golden Triangle, two infamous drug gangs, have absolutely taken over the illegal drug market for opium and heroin and have conducted large scale cultivation operations and they have also found very easy smuggling routes into all parts of the world.

They use Turkey and the unattended Balkan routes to get access into Europe and their Schengen agreement allows drug smuggling across borders to be something of extreme ease. Drugs enter Asia via Pakistan through the 550 km border that is shared by Pakistan and Punjab. However, in recent times there have been major crackdowns on that border with the





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Indian border guards recently intercepting 500 pounds of heroin which had a street value of \$100 million in total. However, this is not a major blow to the major drug production of Golden Crescent and Golden Triangle. They get access to North and South America through their connections with South American cartels that are operating in that area. This inter-continental cartel connection could create the threat of the creation of a global cartel which could cause immense chaos all around the world.

Even though supplying tons of harmful schedule drugs all around the world may not come across as harmful to most of the world, it is important to note that there isn't only one group who controls the supply. In Asia alone there are at least 20 groups and 5 major groups that are dominating the market. This causes a conflict because there is competition and since the market is illegal the methods used to eliminate competition is also illegal. This leads to something known as cartel violence where there is an internal war between the gangs to establish total control and take out the other gangs. In Afghanistan more than 30,000 people have lost their lives in these gang wars and similar trends are seen in India with the D-company killing people.

Drug lords of Laos and Myanmar are said to be the most violent by conducting 9 beheadings and torturing their enemies and the families of their enemies. This causes the police to get involved and when this happens the gangs aim to get rid of the police which makes them the collateral damage. In Afghanistan, last year nearly 756 police officials lost their lives in this drug gang war. Many innocent lives get caught in the crossfire which makes the violence of this issue all the more complex. This is because the public demands peace in the area however the officials cannot differentiate between a local and a drug gang member as these criminals have no uniform. This makes politicians promise to oust these gangs and stop the violence which makes them the target of attacks. 4 politicians in Pakistan have been killed by shooters on a bike from the Golden Crescent Corporation. These politicians have their families kidnapped and they are only returned if huge sums of money are paid to them.





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Another aspect of this violence that makes these drug gangs even more dangerous is the fact that many of them are affiliated with notorious terrorist organizations. The D-Company in India is said to control around 70% of the supply of drugs and ammunition around India and other Southeast Asian countries. They are said to have had relations with Lash-e-Tayba (LeT) and Al-Qaeda when Osama Bin Laden was still alive. With these connections they have and will continue to carry out organized attacks on the civilian population.

The list of affiliations is endless but it is a major issue that needs to be tackled during debate in order to decrease the already ongoing threat of terrorism in the world today. In order to acquire their weaponry and become a threat they require heavy funding; this comes from their large production areas. Asia has many mountainous regions and these are the regions where all the drugs are cultivated. This is because the perfect conditions are provided and it becomes difficult for government authorities to locate these fields and destroy them; it also becomes very expensive and there is also a risk of death as the gang members know the mountains inside out and may decide to attack from anywhere at any time if they see a threat. It is important to note that only if there are comprehensive ways to stop the mass inflow of funding only then will it be easy to take down a cartel to reduce the spread of drugs and violence. This large scale drug production operation is not only plaguing and harming Asia, it also has an immense effect on the western nations. Europe and North America especially have seen the negative effects of this opioid epidemic. In Europe alone since the beginning of 2017 there have been 7400 people entering treatment every month and the number keeps increasing. This epidemic is reaching North America and the situation is far from getting better. The demand however will never die out in these regions due to its addictive nature which is why if there is demand it will always be matched by a high supply. Child soldiers are commonly used in Asia which is one major difference between Latin American cartels and Asian drug gangs.





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In Asia, poverty is a major issue and in almost all the countries the poorer uneducated families have large numbers of children. This creates a big burden due to which the children are forced to carry out operations for the drug gangs in order to earn an income. They are made to hide in trains with the drugs on their person and this is very risky. Instead of gaining an education the kids are meant to carry out such risky operations which will make them accustomed to this lifestyle and they will only continue this trend instead of stopping it because it is all they have learnt in their childhood. A major factor to combat these drugs is the role of agencies. To combat the issue of drugs in South America the DEA played a major role even though the issue has not been eradicated. In Asia, The Bureau of Customs (BOC) plays a major role in countries such as Myanmar, Philippines, Laos and Pakistan however their new aim is to expand their operations to help in Afghanistan and India and if they are successful the spread of opium and heroin will decrease immensely.

However, this will possibly lead to much higher violence in these areas which already experience high levels of violence. Hence, the mission for the BOC will be extremely challenging as there are many intricate details that need to be taken care of. Another major issue is the role of banks. When the drug cartels make their money, it is in hard cash and is black money. In order to make their money legal and also transfer money they have to launder money. With corruption being such a major issue in Asia it is easy to bribe the banks to help launder the money. HSBC a major bank in Asia has been caught in a major scandal as they have been caught for laundering the money of every major drug gang in Asia and they have been fined huge sums of money by authorities of all the ASEAN member nations and this is only one bank which has been caught. There is allegedly a lot more banks involved in this vicious money laundering game. Apart from the big drug gangs seen in Asia like the Golden Crescent, the Golden triangle, The D-company and the Yakuza, there are many other smaller groups which also have great influence. Drugs groups are extremely difficult to take down. If they are taken down then it will be of major help to the world because though it may





not completely diminish the supply of drugs, but it will substantially decrease the opioid epidemic that has become an issue of such enormous concern.

Contributions Of Asian Countries In War Against Drugs:

1. Thailand:

Thailand has the largest prison population in Southeast Asia, most of it made up of minor drug offenses. Thankfully, the country amended its drug policy in early 2017 and lifted an assumption that everyone who possesses drugs is automatically presumed to be selling them, something punishable by death. Under the new law, plant drugs like marijuana, magic mushrooms, and kratom are category 5 and carry lighter penalties, but chemical drugs including MDMA, LSD, and heroin are category 1 and can still catch you a life sentence.

2. Vietnam:

Vietnam is spending lots of money over the last decades in War against Drugs. Possession of heroin can still get you the death penalty in Vietnam.

3. Cambodia:

A major producer and supplier of both heroin and marijuana, Cambodia is one of the countries in South East Asia where drugs are cheap and easy to come by for travelers. While marijuana is semi-legal and few people are prosecuted for it, travelers report having to pay bribes to local police if caught with possession. Heroin and other drugs can be a different story. Heroin is cheaper in Cambodia than the likes of cocaine, thus it is often used to cut cocaine. It is important at this point to keep in mind that an overdose here or in many of the countries listed here could be fatal due to poor healthcare services.



4. Myanmar:

For a long time, Myanmar was known for its large-scale heroin production and the harsh but mostly ineffective drug war that the country fought against. For visitors, drugs remain illegal in Burma but are easy to find. High rates of local addiction, however, have forced the country to rethink its drug policies and a new bill, proposed to parliament in September 2017.

5. Philippines:

Since becoming president of the Philippines in June 2016, Rodrigo Duterte has launched a war on drugs that has resulted in the extrajudicial deaths of thousands of alleged drug dealers and users across the country. The Philippine president sees drug dealing and addiction as “major obstacles to the Philippines’ economic and social progress.”

By early December, nearly 6,000 people had been killed: about 2,100 have died in police operations and the remainder in what are called “deaths under investigation,” which is shorthand for vigilante killings. There are also claims that half a million to seven hundred thousand people have surrendered themselves to the police. More than 40,000 people have been arrested.

For further research, Please visit the following links:

- <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/110/24/PDF/N1611024.pdf?OpenElement>
- https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_60/CNDres_2017/Resolution_60_1_60CND.pdf
- https://www.unodc.org/unodc/en/commissions/CND/Resolutions_Decisions/Resolutions-Decisions_2010-2019.html
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- http://www.asean.org/storage/archive/documents/Declaratin%20on%20Drug%20Free%20ASEAN_Endorsed%20by%20Summit_FINAL.pdf
- <http://www.un.org/press/en/2010/sc9867.doc.htm>
- <https://thediplomat.com/2016/05/asias-war-on-drugs/>

Questions A Resolution Must Answer (QARMA):

1. What are the methods that will be taken to stop the easy spread and trafficking of drugs?
2. What are the measures that will be taken to stop the production of drugs to cut off the funding?
3. What will be done to stop the violence by these cartels which threaten the lives of innocent civilians?
4. How will the threat of a global cartel be stopped?
5. What should be done with the banks that launder money? How can this be prevented in the future?
6. How will children be able to escape from this vicious cycle they are caught in and get educated instead?
7. Who is to be held responsible for such an exponential growth of these gangs?

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TOPIC AREA B: North Korea and Nuclear Non-Proliferation

Introduction

Since its foundation back in 1948¹, The Democratic People's Republic of Korea (DPRK) has earned the attention of the international community and the United Nations (UN) Security Council. The earliest involvement of the Security Council dates back to 1950 when DPRK, Invaded Republic of Korea.² The Security Council determined that the invasion constituted an act of aggression and "a breach of peace," and called for the provision of military support and assistance to the Republic of Korea, resulting in the Korean War.³ Ever since, the Security Council and the international community has actively monitored and addressed the situation the DPRK due to its impact on the region; the primary concern in recent years is the proliferation of nuclear weapons by DPRK.

History of the Nuclear Program in DPRK

The development of nuclear weapons has long been a cornerstone of the DPRK's national security and defense strategy, which is often termed by the DPRK as necessary in response to "unprecedented" "aggression" and "provocation" by the United States and its allies, including the Republic of Korea.⁴ Recent statements by government officials have reinforced the DPRK's intent to continue to "bolster, in quality and quantity, nuclear deterrence for self-defense," in order to mount pre-emptive and "indiscriminate" attacks.⁵ The DPRK's development of its

¹ "North Korea History" History, accessed: 20 Jan, 2018, <http://www.history.com/topics/north-korea-history>

² "North Korea - Timeline" BBC, accessed: 20 Jan, 2018, <http://www.bbc.co.uk/news/mobile/world-asia-pacific-15278612>

³ United Nations, Security Council, Complaint of aggression upon the Republic of Korea, 1950, accessed: 20 Jan, 2018, <http://www.un.org/en/sc/documents/resolutions/1950.shtml>

⁴ DPRK, *Crucial statement of the Supreme Command of the Korean People's Army (S/2016/179)*, 24 Feb 2016, accessed: 20 Jan 2018, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/179; DPRK, *statement of the National Defence Commission of the Democratic People's Republic of Korea (S/2016/222)*, 8 March 2016, accessed: 20 Jan, 2018, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/222; DPRK, *Letter dated 16 March 2016 from the Permanent Representative of the DPRK to the United Nations addressed to the President of the Security Council (S/2016/251)*, 16 March, 2016, accessed: 20 Jan 2018, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/251.

⁵ DPRK, *Remarks made by a spokesperson for the Ministry of Foreign Affairs of the DPRK (S/2016/549)*, 20 June 2016, accessed: 20 Jan 2018, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/549; DPRK,



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nuclear program began in the late 1950's when the government signed a series of agreements with the Union of Soviet Socialist Republics (USSR) that facilitated information sharing and technical capacity building for nuclear technology research and development.⁶ Over the intervening years, the DPRK alternated between proliferation and non-proliferation policies.⁷ The DPRK acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1985, and signed the South-North Joint Declaration on the Denuclearization of the Korean Peninsula with the Republic of Korea in 1991; however, the government was widely criticized for failing to take action to implement the agreements.⁸ It wasn't until 1992 that a safeguards agreement was signed with the International Atomic Energy Agency (IAEA), triggering inspections of existing nuclear facilities.⁹ The report contained inconsistencies between the DPRK's declared nuclear capabilities and the IAEA's findings, triggering a series of inspections and efforts by the international community to ensure compliance with the NPT and "freeze" further development of nuclear technology, including the establishment of the United States-North Korean Agreed Framework in 1994, which promised energy assistance and established the Korean Peninsula Energy Development Organization (KEDO) in exchange for the dismantlement of a 5-megawatt reactor, plutonium-reprocessing plant, 50-megawatt reactor and 200-megawatt plant.¹⁰ In the years following the signing of the Agreed Framework, it was

found that there were challenges related to verification and implementation, and ultimately confirmation that the DPRK had a "program to enrich uranium for nuclear weapons," thereby violating existing international and bilateral agreements.¹¹ In 2003, the DPRK expelled IAEA

Statement released on 16 June 2016 by a spokesperson for the Ministry of Foreign Affairs of the DPRK (S/2016/558), 22 June, 2016, accessed: 20 Jan, 2018,

http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/558; DPRK, *Identical letters dated 23 August 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General and the President of the Security Council* (S/2016/734), 24 Aug, 2016, accessed: 20 Jan, 2018, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/734;

⁶NTI, *North Korea Nuclear Chronology*, 2011, accessed: 21 Jan, 2018, http://www.nti.org/media/pdfs/north_korea_nuclear.pdf?_id=1316543714.

⁷Pruitt, *What You Need to Know About North Korea*, History, 2013, accessed 21 Jan 2018, <http://www.history.com/news/what-you-need-to-know-about-north-korea>.

⁸NTI, *Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula*, 1992, accessed: 21 Jan 2018, <http://www.nti.org/learn/treaties-and-regimes/joint-declaration-south-and-north-korea-denuclearization-korean-peninsula/>; Fischer, *The DPRK's Violation of its NPT Safeguards Agreement with the IAEA*, 1997, accessed: 21 Jan, 2018, <https://www.iaea.org/sites/default/files/dprk.pdf>.

⁹IAEA, *Agreement of 30 January 1992 Between the Government of the DPRK and the International Atomic Energy for the Application of Safeguards in Connection with the Treaty on the Nonproliferation of Nuclear Weapons*, 1992, accessed: 21 Jan 2018, <https://www.iaea.org/sites/default/files/infirc403.pdf>.

¹⁰IAEA, *Factsheet on DPRK Nuclear Safeguards*, accessed: 21 Jan 2018, <https://www.iaea.org/newscenter/focus/dprk/fact-sheet-on-dprk-nuclear-safeguards>.

¹¹ Ibid.





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inspectors and announced its withdrawal from the NPT; this was in retaliation for the joint military exercise by the United States and the Republic of Korea that included a “nuclear war rehearsal,” and also to the accusations of the IAEA which DPRK saw as “interferences in internal affairs.”¹²The Six-Party Talks between China, US, Japan, Russia, and the Republic of Korea, and the DPRK began in 2003, in order to persuade the DPRK to discontinue nuclear activities and return to the NPT.¹³ In 2006, the DPRK claimed that it conducted a successful nuclear test, leading to the adoption of Security Council resolution 1718(2006), which demanded that the DPRK immediately suspend all activities related to its ballistic missile program and further established a sanctions regime banning certain imports.¹⁴The DPRK launched its second nuclear test in 2009, earning condemnation from the international community for violating the Security Council resolution 1718(2006); further sanctions onto DPRK led it to declare nonparticipation in future Talks, effectively ending the Six-Party Talks.¹⁵Five more nuclear tests followed in the years 2009, 2013, 2016 and 2017, leading to further condemnation by the Security Council and the international community.¹⁶

International and Regional Framework

In the context of the issue of nuclear nonproliferation, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (1968) is a widely accepted treaty that focuses on non-proliferation, disarmament, and peaceful use of nuclear energy.¹⁷The NPT also offers a definition Nuclear Weapon States (NWS), which are “those that have produced and detonated a nuclear explosive device” before 1 January 1967.¹⁸Countries that have acceded to the NPT and are non-NWS should not be receiving, acquiring, or manufacturing any nuclear weapons.¹⁹The NPT Safeguards Agreements (1972), another significant agreement that underpins discussions

¹²Arms Control Association, *Arms Control Association Fact Sheet: The Agreed Framework at a Glance*, 2004, accessed: 21 Jan 2018, <https://www.armscontrol.org/system/files/agreedframework.pdf>.

¹³Arms Control Association, *The Six-Party Talks at a Glance*, 2012, accessed: 21 Jan, 2018, <https://www.armscontrol.org/factsheets/6partytalks>.

¹⁴UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/1718 (2006))*, 14 Oct 2006, accessed: 21 Jan 2018, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%20%282006%29.

¹⁵Arms Control Association, *The Six-Party Talks at a Glance*, 2012, accessed: 21 Jan, 2018, <https://www.armscontrol.org/factsheets/6partytalks>.

¹⁶“Timeline of North Korea’s nuclear tests”, Al Jazeera, accessed: 21 Jan, 2018, <http://www.aljazeera.com/news/2017/09/timeline-north-korea-nuclear-tests-170903061228305.html>.

¹⁷NTI, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2015, accessed: 21 Jan, 2018, <http://www.nti.org/learn/treaties-and-regimes/treaty-on-the-non-proliferation-of-nuclear-weapons/>.

¹⁸ Ibid.

¹⁹ Ibid.





on this topic, keeps nuclear material and activities of non-NWS States under the IAEA's safeguards and close inspection to verify commitments.²⁰

Role of the International System

The UN Security Council is the primary UN organ that discusses the situation in the DPRK, focusing on both nuclear nonproliferation as well as human rights. Other relevant international organizations engaged on the issue of nuclear nonproliferation include the IAEA.

The Security Council has adopted nine major resolutions on the DPRK and issued a series of press statements in response to political and security developments in the region. Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017) were adopted in response to DPRK's nuclear and similar tests and provide the policy framework that grounds the work of the SC on this topic.²¹ In the context of nuclear nonproliferation, the Council's actions largely encompass: calling for the political settlement of the situation and cessation of nuclear weapons tests and development; and establishing, implementing and monitoring a sanctions regime which bars the sale or transfer

of a range of items.²² The sanctions and associate panel of experts was adopted pursuant to Resolution 1718 (2006) and prohibited further efforts to develop nuclear weapons and its nuclear ambitions, and imposed strict sanctions and inspection on cargoes for weapons and luxury goods while establishing a monitoring body that "review[s] and adjust[s] the imposed sanctions and violations of the sanctions." As a follow-up, Resolution 1874 (2009) tightened sanctions further by placing additional restrictions on financial aid and the establishment of an expert panel for the monitoring body. Resolution 2087 (2013) condemned DPRK for the launching of a satellite, which, though not a nuclear test, is still a technology applicable to the

²⁰IAEA, *IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols*, 2016, accessed: 21 Jan, 2018, <https://www.iaea.org/publications/factsheets/iaea-safeguards-overview>.

²¹Arms Control Association, *UN Security Resolutions on North Korea, 2017*, accessed: 21 Jan, 2018, <https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>.

²²UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/1718 (2006))*, 2006, accessed: 21 Jan, 2018, http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%20%282006%29.



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development of nuclear/ballistic weapons²³. Resolution 2094(2013) strongly condemned the third nuclear test, specifying sanction targets which could be of use to DPRK's ambitions and

reinforcing the existing monitoring body with additional measures.²⁴ Resolution 2270(2016) included new sanctions on shipping, prohibition of aviation fuel to the country, and more asset freezes of suspects. Resolution 2321 (2016) imposed new sanctions that prohibits DPRK from 1. exporting Minerals, such as copper, nickel, silver and zinc 2. Selling statues 3. selling Helicopters 4. Selling or transferring iron and iron ore, with exceptions for livelihood purposes 5. Selling or transferring coal in amounts that exceed a particular cap annually. Resolution 2371 (2017) bans the export of several materials, which previous sanctions resolutions had restricted the export of, including: Coal, Iron and Iron ore, Seafood, lead and Lead ore.²⁵ Resolution 2375 (2017) 1. Fully bans textile exports 2. Caps refined petroleum product imports at 2 million barrels per year 3. Freezes the amount of crude oil imports 4. Bans all-natural gas and condensate imports 5. Prohibits member states from providing authorizations for North Korean nationals to work in their jurisdictions, unless otherwise determined by the committee established UNSCR 1718 6. Imposes asset freezes on additional North Korean entities, including the Organizational Guidance Department, the Central Military Commission and the Propagation and Agitation Department 7. Directs the 1718 committee to designate vessels transporting prohibited items from North Korea and Bans all joint ventures or cooperative entities or the expansion of existing joint ventures with DPRK entities or individuals.²⁶ And finally Resolution 2397 (2017) imposed the following sanctions: 1. Caps North Korean refined petroleum imports at 500,000 barrels per year 2. Establishes an annual limit of crude oil imports at four million barrels per year 3. Obligates the Security Council to impose additional caps on petroleum imports if North Korea tests another nuclear weapon or ICBM 4. Directs countries to expel all North Korean workers immediately, or in two years at the latest 5. Bans North Korean exports of food, agricultural products, minerals machinery and electrical equipment 6. Bans North Korea from importing heavy machinery, industrial equipment and transportation vehicles 7. Designates an additional 16 individuals and 1 entity

²³UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/2087(2013))*, 2013, accessed: 21 Jan, 2018, https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2087%282013%29.

²⁴UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/2094(2013))*, 2013, accessed: 21 Jan, 2018, https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2094%282013%29.

²⁵UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/2371(2017))*, 2017, accessed: 21 Jan, 2018, https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2371%282017%29.

²⁶UN Security Council, *Non-proliferation/Democratic People's Republic of Korea (S/RES/2375(2017))*, 2017, accessed: 21 Jan, 2018, https://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2375%282017%29.





to the UN sanctions list. Throughout all resolutions, the SC called on to the DPRK to return to the Six-Party Talks.

The IAEA plays a core duty in assuring the safe, peaceful use of nuclear materials in the international community and implements safeguards to verify that governments are not

misusing nuclear materials on one hand while assisting peaceful usage on the other.²⁷ Though the DPRK withdrew from the IAEA in 2009, the IAEA Director Yukiya Amano says the organization is ready to resume nuclear activities in DPRK "once a political agreement is reached among countries concerned."

Non-proliferation and Disarmament of Nuclear Weapons

With the ongoing development of nuclear technology posing a grave risk to humanity, stopping its proliferation has become an utmost importance for the international community. In the context of the DPRK, the Security Council calls for and promotes non-proliferation, which aims to stop the spread of nuclear weapons, as well as eventual disarmament, with the goal being the complete cessation of activities and destruction of nuclear materials.²⁸ The importance of ensuring the effectiveness and success of the measures imposed on the DPRK is increasing, particularly in the context of the ongoing tests by the DPRK. All Security Council resolutions adopted on the DPRK are in line with Article 41 of the Charter of the United Nations (1945) as economic interruptions.²⁹

The Security Council has an important role to play in continuing to seek a diplomatic solution to the current conflagration, to put pressure on the DPRK to end its nuclear research and tests as well as ensure all Member States are held accountable for fully implementing and adhering to the sanctions regime put in place. There are several options available to Council members to continue to enhance the existing accountability mechanism, for example, the panel of experts monitoring the sanctions could assist Member States in implementation and encourage the timely submission of "national implementation reports [...] as models of good practice."³⁰ Further, given the importance of diplomatic action and mediation in this situation,

²⁷IAEA, *IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols*, 2016, accessed: 21 Jan, 2018, <https://www.iaea.org/publications/factsheets/iaea-safeguards-overview>.

²⁸NTI, *Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2015, accessed: 21 Jan, 2018, <http://www.nti.org/learn/treaties-and-regimes/treaty-on-the-non-proliferation-of-nuclear-weapons/>.

²⁹UN, *Charter of the United Nations*, 26 June 1945, Art. 41, accessed: 21 Jan, 2018, <http://www.un.org/en/sections/un-charter/chapter-vii/index.html>.

³⁰UN Security Council Report, *May 2016 Monthly Forecast: DPRK (Korea)*, 2016, accessed: 21 Jan, 2018, http://www.securitycouncilreport.org/monthly-forecast/2016-05/dprk_north_korea.php/



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considering spiking tensions between the DPRK and the international community, there may be a need to consider mediation and conflict resolutions instead, where parties are encouraged to facilitate less tense, peaceful dialogues, in order to achieve end goals. The Security Council has a range of preventative diplomacy tools it could employ, in this regard, which could be useful in bolstering relations at the regional and bi-lateral level.

Conclusion

The DPRK continues to pose threats towards the international community. Its recent nuclear tests have prompted international condemnation in the form of Security Council sanctions, causing the country to become more aggressive in its nuclear ambitions and leading to spiking tensions between it and the international community. The DPRK has expressed its defiance and noncooperation, but organizations and other responsible bodies, such as the IAEA for nuclear nonproliferation, have shown eagerness to cooperate in resolving the issues with the DPRK government. The SC is vital in maintaining international peace and security; hence, when addressing the nuclear proliferation ambitions of the DPRK, any solutions will be multi-faced and address all aspects of the situation.

Questions A Resolution Must Answer (QARMA):

1. How can the barriers to ensuring immediate global nuclear disarmament be overcome?
2. How can previous UN Resolutions and bilateral and multilateral treaties on nuclear disarmament be expounded upon to create a global atmosphere that facilitates nuclear disarmament?
3. What framework can be put into place to ensure immediate nuclear disarmament in North Korea?
4. What mechanisms and processes can be put into place to ensure that nuclear weapons programs are transformed into peaceful civilian nuclear programs

