

LEGATUS MODEL UNITED NATIONS



UNITED NATIONS GENERAL ASSEMBLY- DISARMAMENT AND INTERNATIONAL SECURITY COMMITTEE

Proliferation of Nuclear Weapons

Letter from the Executive Board

Greetings, Delegates of The United Nations General Assembly- DISEC

“Great leaders are almost always great simplifiers, who can cut through argument, debate, and doubt, to offer a solution everybody can understand.” - Colin Powell

It is of great honor for us to serve as the Executive Board of the United Nations Security Council at the Legatus International Model United Nations, 2020.

Get ready to experience the experience of being the world leaders, with us heart filled with joy; we hereby welcome you to the conference. In this study guide/background guide, we serve you the content that is easily understandable for the first-timers. Through this guide, we intend to give you an overview of the agenda in hand. The suggested Moderated Caucus mentioned in the end would give you an idea of what we expect from the committee, and we would prefer these points to be inculcated in your speeches as well.

For Your better understanding as to how are you supposed to make your GSL speeches, you may refer to the speeches of the Real delegates of United Nations from the referred link given at the end of this background guide. It also includes few important researches that you must go through.

Please note that while you are in the committee, you are world leaders, and we would emphasize your diplomacy. Preserving world peace, security and international cooperation has been an integral part of the formation of the United Nations itself. However, the present scenario needs future leaders to negotiate upon the issues of world importance. Model United Nations brings to you the platform wherein you research, understand, manipulate, and negotiate.

Through this conference, we hope that you develop as a “superhero” for humanity and a “savior” of a global crisis. We promise a fruitful debate coming your way. I hope all delegates would be able to develop a broad perspective about living in the global society paving way for intellectual solutions.

Dear young leaders, we thank all of you for your commitment and wish you all a most stimulating conference. The anticipation of a memorable session.

Regards

Charvi Duggal (Chairperson)

About the Committee

The First Committee of the United Nations General Assembly deals with disarmament, global challenges and threats to peace that affect the international community and seeks out solutions to the challenges in the international security regime.

It considers all disarmament and international security matters within the scope of the Charter or relating to the powers and functions of any other organ of the United Nations; the general principles of cooperation in the maintenance of international peace and security, as well as principles governing disarmament and the regulation of armaments; promotion of cooperative arrangements and measures aimed at strengthening stability through lower levels of armaments.

The Committee works in close cooperation with the United Nations Disarmament Commission and the Geneva-based Conference on Disarmament. It is the only Main Committee of the General Assembly entitled to verbatim records coverage.

The General Assembly entitled to verbatim records coverage pursuant to:

Rule 58

[see introduction para. 30; see also annex IV, para. 108, and annex V, para. 27]

- (a) **Verbatim** records of the meetings of the General Assembly and of the Disarmament and International Security (First Committee) shall be drawn up by the Secretariat and submitted to those organs after approval by the presiding officer. The General Assembly shall decide upon the form of the records of the meetings of the other Main Committees and, if any, of the subsidiary organs and of special meetings and conferences. No organ of the General Assembly shall have both verbatim and summary records.
- (b) Sound recordings of the meetings of the General Assembly and of the Main Committees shall be made by the Secretariat. Such recordings shall also be made of the proceedings of subsidiary organs and special meetings and conferences when they so decide.

Resolutions

Rule 59

Resolutions adopted by the General Assembly shall be communicated by the Secretary-General to the Members of the United Nations within fifteen days after the close of the session.

The mandate of the United Nations General Assembly is defined under Chapter IV of the UN Charter, out of which Article 10-17 defines the powers and functions of United Nations General assembly.

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.
2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.
3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.
4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.
2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:
 - a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;
 - b. promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.
2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly

relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.
2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.
2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.
3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

The mandate of the Committee will be taken in accordance with these articles and also, such would be considered while you draft your draft resolutions.

About the Agenda

The first purpose of the United Nations is "to maintain international peace and security," and there may be no greater threat to peace and security than nuclear weapons. With over 22,000 nuclear weapons in existence worldwide, there are enough nuclear weapons to destroy the world many times over. And yet, various states refuse to give up their nuclear weapons and other states seek to acquire nuclear weapons. By debating "Nuclear Disarmament," delegates will learn the various issues that make this a complex topic, including issues of disarmament, non-proliferation, and access to nuclear energy. Delegates will study the work of the General Assembly 1st Main Committee: Disarmament and International Security, the framework set by the Nuclear Non-Proliferation Treaty, and larger international relations themes of deterrence and the "security dilemma." Can the international community achieve a world free of nuclear weapons?

Mankind has invented few, if any, weapons as powerful and destructive as the nuclear bomb. The world saw the first use of nuclear weapons on August 6, 1945, during World War II, when American pilots dropped one atomic bomb, dubbed Little Boy, on Hiroshima, Japan. Three days later, they dropped a second one, dubbed Fat Man, on Nagasaki, Japan. Casualties range from 150,000 to 200,000. The injuries and scars of that destruction are still in evidence today, both in the memories of its victims and the cancers they have developed. By the end of World War II, the world realized that nuclear weapons were a very dangerous thing. The Nuclear Non-Proliferation Treaty went into effect on January 1, 1967. At that time, only five countries had tested and

manufactured nuclear weapons. They were United Nations Security Council permanent members: Russia, China, France, the UK, and the US. All other signatories to the NPT agreed to not pursue nuclear weaponry, instead focusing on the development of nuclear technology for peaceful purposes.

Since then, other countries have sought, developed, or claimed to have developed nuclear weapons. India, Pakistan, and North Korea have developed nuclear weapons, while Israel and Iran may or may not secretly harbor nuclear devices and technology. Some countries, most of them signatory to the NPT, have possessed or technology but have since destroyed or surrendered them, such as the former Soviet Union republics Kazakhstan and Ukraine. The original five countries initially built nuclear weaponry for a powerful offense, but many have since repurposed them for domestic defense under the concept of nuclear deterrence. Countries now recognize that any nuclear strike will leave the offending country vulnerable to a nuclear retaliation, either from the defending country or its nuclear-capable allies. The result of such an eye-for-an-eye mentality would be mutually assured destruction. To this end, countries seeking to protect themselves from aggressors began amassing nuclear weapons to deter hostile countries from attack.

It is against the interest of both nuclear-capable and non-nuclear capable countries to see nuclear weaponry spread. The effort to stop the spread of nuclear weapons is referred to as nuclear non-proliferation. The Nuclear Non-Proliferation Treaty (NPT) has spearheaded the movement to establish a nuclear-weapon-free regime and seeks to deter states and organizations that have nuclear arms or capabilities from transferring its nuclear weapons or capabilities to states or organizations that do not. To enforce and monitor the NPT, the treaty calls upon the actions of the International Atomic Energy Agency, an international agency that works primarily by inspecting nuclear facilities. Nuclear research has also yielded a double-edged sword. Nuclear technology can be harnessed for peaceful, civilian nuclear energy. This free, cheap energy would be a boon to developing and developed countries around the world. However, the nuclear material used to create this energy can also be used to create nuclear weapons. Understandably, while some countries perceive the pursuit of nuclear energy as their sovereign right, other countries fear these nuclear power plants may instead harbor or research nuclear weaponry. To compound the issue, non-state actors, e.g. terrorists, have accelerated nuclear proliferation by covertly creating, stealing, selling, and distributing nuclear technology and weapons to nuclear-incapable parties. These goods include nuclear scientists, equipment, knowledge, or arms.

History

Scientific breakthroughs in the 1930s made atomic bomb production possible. Fearing the prospect of Hitler developing nuclear weapons, top physicists from around the world joined the secret 'Manhattan Project' to develop them first. Unprecedented funding came from the US. When Germany surrendered in May 1945, the Manhattan Project had not yet developed a working weapon. Many scientists lobbied for their research to be turned to peaceful purposes. Despite their efforts, early on the morning of July 16, 1945, the Manhattan Project held its first successful test of an atomic device—a plutonium bomb—at the Trinity test site at Alamogordo, New Mexico.

In the end, on August 6, 1945, during World War II (1939-45), an American B-29 bomber dropped the world's first deployed atomic bomb over the Japanese city of Hiroshima. The explosion wiped out 90 percent of the city and immediately killed 80,000 people; tens of thousands more would later die of radiation exposure. Three days later, a second B-29 dropped another A-bomb on Nagasaki, killing an estimated 40,000 people. Japan's Emperor Hirohito announced his country's unconditional surrender in World War II in a radio address on August 15, citing the devastating power of "a new and most cruel bomb."

Throughout the 1950s the US and USSR competed for nuclear supremacy. By the 1960s both had developed intercontinental ballistic missiles which could be launched far away from their target, and submarine-launched missiles which could sneak up without any radar warning. This situation came to be known as Mutually Assured Destruction (MAD) or ‘deterrence’. Never mind who attacked first – both nations would be damaged to the point of collapse. This meant, the theory went, that war would be suicide and so no country would risk it. But far from keeping the arms race under control, MAD provoked the production of thousands of nuclear weapons by both superpowers.

In the meantime, three more countries had also started to work on their own nuclear arsenal. France launched a civil nuclear research programme in the 1950s, a by-product of which was weapons-grade plutonium. Under Charles de Gaulle it successfully tested a nuclear bomb in 1960. China was able to test an A-bomb in 1964, a nuclear missile in 1966, and an H-bomb in 1967.

As the proliferation of nuclear weapons began and danger of a war grew, public opposition also increased, with multiple national and international attempts to prohibit the production of nuclear weapons. The first serious attempts by politicians to reduce tensions and control the spread of nuclear weaponry were prompted by the Cuban Missile Crisis. A military hotline was installed between the US and Soviet presidents, aimed at improving communication and avoiding dangerous misunderstandings. The two superpowers signed the Partial Test Ban Treaty in 1963, agreeing not to test nuclear weapons in the atmosphere, underwater, or outer space. Testing underground continued.

The 1960’s was a period of great optimism about disarmament. Several arms-control treaties were signed, culminating in 1968 with the Nuclear Non-proliferation Treaty (NPT). Signed by most countries, it committed the five nuclear weapon states (NWS) – France, China, USSR, Britain, US – not to ‘assist, encourage, or induce’ a non-nuclear weapon state (NNWS) to acquire nuclear weapons. NNWS agreed in turn not to develop such a capability. This has largely been adhered to. Unfortunately, a commitment within the Treaty to disarm has not been complied with by the NWS. The NPT also enshrines the right of all states to develop nuclear energy, which has proved deeply problematic because the transition from civilian to military capability is relatively simple. By the end of the 20th century the five original nuclear weapons states no longer had a monopoly. Israel has never officially confirmed or denied its possession of the bomb, but in 1986 the existence of nuclear warheads was leaked to the press by technician Mordechai Vanunu. In 1998 India ran tests and declared it had the bomb. Pakistan responded with successful tests, raising the spectre of a South Asian nuclear war. In January 2004 it emerged that the revered head of Pakistan’s nuclear programme, Dr AQ Khan, had been secretly selling nuclear weapons capability to Libya, Iran and North Korea, that in 2003 proceeded to announced that it was building a bomb.

What are Nuclear Weapons?

Nuclear weapons are the most dangerous weapons on earth. One can destroy a whole city, potentially killing millions, and jeopardizing the natural environment and lives of future generations through its long-term catastrophic effects.

Nuclear weapons and the United Nations have aged almost simultaneously; arguably, this qualifies the world organization as the appropriate forum to confront the growing threat of nuclear proliferation. Indeed, the very first resolution endorsed by the UN General Assembly called for the establishment of ‘a commission to deal with the problems raised by the discovery of atomic energy’.

The Commission was, amongst other things, to develop a proposal for ‘the elimination from national armaments of atomic weapons and all other major weapons adaptable to mass destruction.’ Despite this clear level of

concern regarding atomic energy use, nuclear weapons have continued to proliferate. The sheer level of destruction that a nuclear weapon is capable of has seen it become a weapon that effects both domestic and international politics.

The devastation of nuclear weapons has been a focal point for deliberations, since 1948 nuclear weapons have been consistently labelled Weapons of Mass Destruction (WMD). WMD, which now incorporates both chemical and biological weapons, are distinguished from conventional weapons in three main ways:

1. They are weapons that have potential to inflict massive collateral damage, having devastating implications for civilian populations;
2. Their mass impact has raised important moral questions, notably through the suggestion that these weapons are ‘non-legitimate, and inhuman’ forms of warfare; and
3. They have a particularly powerful deterrent effect. Consequently, this makes an attack on a state which possess WMD almost unthinkable.

Undeniably, the most significant contributor to the continued proliferation of nuclear weapons has been their deterrence effect.

Why is Nuclear disarmament not being possible?

LACK OF ADHERENCE

Nuclear weapons currently represent the only type of weapons of mass destruction that have yet to be prohibited, while the use of such weapons is constituted as a crime against humanity according to the International Court of Justice (ICJ). The main obstacle to total nuclear disarmament remains the lack of adherence to the NPT and relevant documents by Member States. In the 2016 sessions of the General Assembly, several States expressed ongoing frustration with States that possess nuclear weapons who were “reluctant to budge from entrenched positions,” and continual failures of approaches to nuclear disarmament frameworks. Part of this criticism came from the fact that Member States that own nuclear weapons represent a “privileged club” of countries who continue to possess nuclear capabilities while criticizing developing countries for using nuclear energy for peaceful purposes, speaking to the larger inter-state divisions which must be addressed in nuclear negotiations.

Additionally, the ongoing threat of nuclear weapons discourages non-party states from becoming signatories of documents such as the NPT due to distrust, inequality and insecurity among them, and the ongoing prioritization by States of national security over international peace. Lack of cooperation with the IAEA is a significant international cause for concern because a lack of transparent communication between states, or between a state and the UN, can exacerbate a security dilemma and threaten global security. A recent instance of this issue was on 23 August 2016, when the Democratic People’s Republic of Korea (DPRK) tested a submarine-fired ballistic missile, despite calls from the international community for cessation of these activities. The test, which was conducted off the coast of the Korean peninsula and facing Japan, earned the condemnation of the international community, including Japan, the Republic of Korea, and the United States, as these ballistic missile tests were interpreted, by various Member States, to be a lack of adherence to international norms for nuclear safety. Since the DPRK does not announce its nuclear tests, there are even speculations if it is a test indeed, and because they are not a signatory to the NPT, they do not have a requirement to meet specific international obligations. However, in an address to the UN General Assembly, DPRK defended its actions as a “righteous self-defense measure” against the “constant nuclear threats of the United States,” speaking for the

need to disarmament to be comprehensive and global. This issue is also reflected among other Member States. The state of Israel is not party to NPT and does not allow IAEA inspectors to monitor and record their nuclear capability. In a recent vote by the General Assembly in 2012, the UN called for Israel to open its nuclear program for international inspection. The resolution received the overwhelming majority of the Member States, showing the international commitment to transparency. However, Israel has not complied with the resolution, citing national self-determination and security as the main causes of concern. Disputes such as these demonstrate the crux of the issue of disarmament: the clash between a state's sovereign right to defend itself against foreign aggression, and the fact that this state-level defense framework fosters obstacles to disarmament and greater global distrust.

NON-STATE ACTORS

Non-state actors have become an increasingly pressing topic in UN discussion, as they represent threat to international peace and security, from implementation of the Sustainable Development Goals to issues of nuclear security. The rise of the Islamic State of Iraq and the Levant (ISIL) and other terrorist organizations into the international spotlight have led to the concerns about these actors acquiring nuclear capabilities, and questions on whether they would be subject to the same norms as Member States. If this situation were to occur, recognizing these actors as a legitimate threat would then also recognize their statehood, and if they are not acknowledged, then it can put the international community under risk from an attack. The spread of terrorist organizations across borders is a challenge to the capabilities of international organizations to respond, especially because there is no precedent on addressing the nuclear threat posed by non-state terrorist actors. For instance, the General Assembly created the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism, which criminalizes all acts of nuclear terrorism and utilizes the IAEA as the pre- and post-crisis support body.

In addition, the Convention on the Physical Protection of Nuclear Material (CPPNM) (1987) was created. Nevertheless, concerns still remain about whether these frameworks are sufficient to addressing the threat of nuclear terrorism. Considering the nuclear threat of terrorist organizations and non-state actors is therefore key to future international frameworks on nuclear disarmament.

INTERNATIONAL LAW AND NUCLEAR WEAPONS

DOES INTERNATIONAL LAW CATEGORICALLY PROHIBIT THE USE OF NUCLEAR WEAPONS?

The establishment of the IAEA recognized the right to use atomic energy for peaceful purposes. The Non-Proliferation Treaty prohibited the further development of nuclear weapons and laid the grounds for nuclear disarmament. However, none of the previous treaties were specifically meant to prohibit the use of nuclear weapons in any circumstances, in peace or in warfare. For this reason, the World Health Organization petitioned the International Court of Justice (ICJ) for an Advisory Opinion on the “Legality of the Threat or Use of Nuclear Weapons.” The ICJ issued such Advisory Opinion on July 8, 1996, after listening to reports of hundreds of states’ delegations and analyzing the various pieces of international law.

The question addressed was: “Is the threat or use of nuclear weapons in any circumstances permitted under international law?” States’ delegations were divided in two blocks, those who claimed that nuclear weapons cannot be used in any circumstances (mostly, the states that form part of NWF zones and those who do not possess nuclear weapons) and those who affirmed that in some special circumstances the recourse to nuclear

armaments is lawful and legal (the P-5 and other nuclear-weapon-sharing states belonged to this group). The ICJ analyzed the following:

- Whether the use of nuclear weapons would go against Human Rights law (International Covenant on Civil and Political Rights, Convention on the Prevention of the Crime of Genocide) or International Humanitarian Law, which prohibits unnecessary suffering and the targeting of civilians;
- Whether the use of nuclear weapons violates the UN Charter, in particular Article 2.4 on the prohibition of threat and use of force, and Article 51 on the right to self-defense in response to an act of aggression;
- Whether the use of a nuclear device would necessarily violate the principle of proportionality, which limits states' defensive responses to an armed attack to what is "proportionate" to the attack itself;
- Whether the treaties prohibiting the use of weapons of mass destruction – such as chemical and biological weapons – create a rule of customary international law banning nuclear weapons as well;
- Whether states are developing a customary practice of non-utilization of nuclear weapons, basing on MAD; the policy of détente and on the establishment of nuclear-weapon-free zones.

THE ANSWER OF THE ICJ

Although the ICJ recognized the importance of pursuing complete nuclear disarmament according to the NPT, the conclusions of the Advisory Opinion shocked those who were sure that nuclear weapons could never be lawfully used. The Court declared that "There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons," but also "[t]here is ... no comprehensive and universal prohibition of the threat or use of nuclear weapons as such"! The ICJ added that, to be legal under international law, the use of nuclear weapons must respect the international law of armed conflict and international humanitarian law: most importantly, any nuclear attack must be proportionate, and not cause unnecessary suffering. The Court ruled that, in extreme circumstances of self-defense (under the threat of a massive attack in which the very survival of a state could be at stake), a state's right to self-defense might imply a right to use a nuclear weapon (for more details, see International Court of Justice, "Advisory Opinion on Nuclear Weapons", p. 266).

Of course, the ICJ was not equipped to judge whether or not this was possible, and there remain plausible arguments on both sides. Its Advisory Opinion is therefore not a definitive answer to the question of the legality of use of nuclear weapons. Still, its significance lies in its legitimization of state recourse to nuclear weapons in self-defense. The window for the legitimate use of nuclear weapons is admittedly small, as the nuclear warhead must avoid targeting non-combatants and procuring unnecessary damage to the population and the environment. But the Court did not categorically exclude this possibility.

Black Market Arms Trade

Currently, more than six hundred million arms and weapons are in circulation globally, and are responsible for over five hundred thousand deaths each year. The United Nations is committed to combating the illegal use and trade of such weapons. The United Nations, through series of mandates, has outlined the types of weapons with which the Department of Disarmament Affairs is most concerned. A large majority of these weapons have been left over from the Cold War, yet continue to circulate the globe. The United Nations is primarily concerned with the growing trend of illegal trade because such illicit trade and use has been linked with increasing intensity in civil conflicts, prolonging the duration of conflict and encouraging violent responses. The United Nations Policy on Small Arms calls on member states to implement weapons programs to demobilize such forces in order to create a stable regional environment.

In 1995, the United Nations General Assembly issued a resolution (50/70B) in order to recognize the disturbing trend of illicit light weapons trade. This resolution came in light of the genocidal acts of violence in Rwanda, in which small arms played a significant role. Truly the acts of the Rwandan genocide shed immense light on the destructive and disastrous effect that light weapons had on intra-state conflict. Stephen D. Goose, the Washington Director of the Human Rights Watch Arms Project, stated that, “Rwanda is only the latest example of what can happen when small arms and light weapons are sold to a country plagued by ethnic, religious, or nationalist strife. In today’s wars such weapons are responsible for most of the killings of civilians and combatants”. The surge in the popularity of such weapons is closely linked with the strength of the national economy of its consumers. Small arms, because of low cost, easy availability and access, were a major element of the level of brutality in such a conflict.

The United Nations Conference on the Illicit Traffic in Small Arms and Light Weapons in All Its Aspects, held in 2001, took a major step forward by agreeing upon the Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects. The Program of Action established multinational efforts to identify and collect weapons obtained illegally and bolster states’ ability to track illicit light armaments. The Program continues today receiving backing most recently from the General Assembly’s 2005 World Summit.

The United Nations currently deals with the illicit trade of small arms, light weapons, and nuclear stockpiles in numerous peacekeeping and enforcement operations. While the United Nations has made some progress, the elusive small arms trade is still strong. Programs like those in Liberia, in which peacekeepers offered a cash settlement of three hundred dollars for each weapon submitted, are not effective. Often in such programs, combatants will trade in dysfunctional weapons or use the entitlement to purchase more lethal weapons.

Also, such programs have little effect upon the trade itself. While the programs may limit the result of proliferation it does not address the availability of such weapons or the persons involved in peddling them. DISEC feels that mark. While the United States is the leading supplier of legal arms in the world. Nearly all illegally trafficked arms come from ex-Soviet countries or their satellite States. Thus, the United Nations still desperately needs more efficient and encompassing solutions to the problem of the small arms trade particularly focusing on the origins of black-market weaponry.

International and Regional Framework

Since the development and first use of nuclear weapons, the international community has established many agreements and frameworks to restrict their development and use. The NPT was adopted in 1968 to curb the spread and development of nuclear weapons and to promote nuclear disarmament. The NPT (NON-PROLIFERATION TREATY) also includes provisions to promote the peaceful use of nuclear energy to ensure nuclear disarmament and non-proliferation measures do not infringe on states’ ability to use nuclear technology for peaceful purposes. According to Article VI, all parties are required to enter into negotiations on a treaty for “general and complete disarmament under strict and effective international control.”

In 1996, the CD adopted the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The Treaty has two main commitments: States parties are prohibited from carrying out a “nuclear weapon test explosion or any other nuclear explosion,” and are further prohibited from urging other states to cause such explosions. While the CTBT has wide support and has supported a norm against nuclear testing, it has not yet entered into force as eight key states have not ratified the Treaty. In 2017, the General Assembly adopted resolution 72/70 to urge the necessary states parties to ratify the Treaty and enter it into force.

The most recent international instrument on nuclear weapons is the Treaty on the Prohibition of Nuclear Weapons (TPNW), adopted by the General Assembly in 2017. The Treaty prohibits the testing, development, stockpiling, use, and threat of use of nuclear weapons. The treaty further requires NWS to immediately decommission and destroy all of their nuclear arsenals with the cooperation and oversight of the International Atomic Energy Agency (IAEA). While it is the first comprehensive nuclear disarmament treaty, it lacks the support of the NWS, none of which participated in the drafting or adoption of the Treaty.

The General Assembly has also adopted several key resolutions on nuclear disarmament. The first resolution adopted by the UN General Assembly in 1946 was resolution 1(I) on the “establishment of a committee to deal with the problems raised by the discovery of atomic energy.” The resolution establishes the commission to control atomic materials, to create effective safeguards for the control and use of atomic energy, and to eliminate all atomic weapons and related WMDs. In 1959, the General Assembly adopted resolution 14/1378 that calls on all states to establish measures to achieve general and complete disarmament. Recently, in 2015, the General Assembly adopted resolution 70/40 on the total elimination of nuclear weapons. The resolution reaffirms disarmament commitments in Article VI of the NPT, and specifically calls on nuclear-armed states to completely eliminate their nuclear arsenals. The resolution also calls on states to enter bilateral, regional, and multilateral agreements to reduce existing stockpiles, increase transparency and confidence-building, and establish further nuclear weapon free zones to support total nuclear disarmament.

Implementing Existing Nuclear Weapons Frameworks

The international community has adopted numerous frameworks to govern various aspects of nuclear weapons and related topics, but despite this, nuclear weapons remain a critical threat to global peace and security. Despite repeated calls for total global disarmament and several frameworks to encourage and support disarmament, tangible disarmament efforts have largely stalled in recent years. Following the Cold War, there was a substantial reduction in nuclear weapons stockpiles as NWS reduced their combined weapons from over 70,000 in 1987 to approximately 14,200 in 2018. While the number of weapons have decreased overall, the deployment of a single nuclear weapon in a densely populated area could kill millions of people and create a serious humanitarian catastrophe. Despite reductions in the quantity of weapons, as well as international frameworks calling for good-faith efforts for disarmament, NWS continue to make significant financial and military investments in their nuclear arsenals. While some modernization schemes are designed solely to keep current systems up to date, many programs are designed to improve existing systems and expand delivery mechanisms, while other NWS are actively increasing their arsenals and stockpiles. In recent years, NWS have spent tens of billions of dollars each year modernizing their weapons systems; it is expected that the United States of America alone may spend up to a trillion dollars on nuclear weapons modernization within the next 30 years. Additionally, substantial investments in existing nuclear arsenals signals that NWS are continuing to reinforce nuclear weapons as cornerstones of military and defense policy. The UN Secretary-General Antonio Guterres has repeatedly questioned the validity of the continued investment in and reliance on nuclear weapons. Guterres requested that states rethink costly non-essential modernization programs, as they run counter to states’ obligation to pursue nuclear disarmament and contribute to stalled progress on this issue.

The NPT is the longest-standing nuclear disarmament framework, but inconsistent application and the non-participation of key NWS is undermining the treaty’s effectiveness. At the time of its adoption in 1968, there were only five recognized NWS: The United States, the Russian Federation, the People’s Republic of China, the United Kingdom, and France. The treaty binds all States parties to pursue good faith negotiations in pursuit of total disarmament and prevent non-NWS from acquiring such weapons. While the five NWS party to the NPT have made significant reductions in their nuclear arsenals, they have not pursued good-faith negotiations for

nuclear disarmament, as required by Article VI. In addition, four NWS are not party to the treaty at all: India, Pakistan, the Democratic People's Republic of Korea (DPRK), and Israel. While DPRK initially signed the NPT in 1985, it later withdrew in 2003. By rejecting the NPT, these states are functionally exempt from NPT reviews and oversight processes, which are vital for the realization of Article VI on nuclear disarmament. Additionally, these states are not subject to IAEA safeguards and inspections, leaving the state of their nuclear programs uncertain.

The Treaty on the Prohibition of Nuclear Weapons (2017) is the first comprehensive nuclear disarmament treaty, but the realization of its provisions is limited by the lack of participation of all NWS. None of the nine NWS attended negotiations, nor have any signed the treaty. In addition to the NWS themselves, many military allies of NWS have also refrained from signing the treaty; for example, not a single NATO Member State has signed the ban treaty. In the case of NATO, many states argue that the ban treaty is at odds with the alliance's nuclear deterrence policy. The treaty calls on states to irreversibly eliminate their entire nuclear program, but without the participation of NWS, the treaty provisions cannot be fulfilled. Critics have also noted that the lack of verification measures to track and ensure disarmament further weaken the enforcement potential of the treaty, should NWS accede to the agreement.

Case Studies

CASE STUDY OF IRAN

The Iran Nuclear Deal and the resulting Joint Comprehensive Plan of Action (2015) was a landmark agreement that successfully led to the relative disarmament of a potential nuclear state.²⁹⁵ Prior to the agreement, Iran was aiming to cultivate highly enriched uranium in an effort to create a nuclear weapon. According to Iran, it was intended for national security, since it is their right to pursue the creation of such a weapon. The international community perceived this goal and the development of another nuclear state as a threat to international peace and security, resulting in motivation for States to broker a deal to limit Iranian capability of obtaining a nuclear weapon while dismantling pre-existing sanctions on the country's economy as incentive. It allowed the international community to serve as a mediator, while the Member States negotiated and produced the main components of the deal that decreased nuclear weaponry in the region, maintaining Iran's right to national security. Differing viewpoints and perspectives did present significant challenges in reaching an agreement. The P5+1 member advocated for greater transparency pertaining to nuclear energy, such as enabling IAEA inspectors to enter Iran and assess the relevant facilities to determine adherence to the established norms. In contrast, Iran saw national self-determination as a key component of its position to obtain a nuclear weapon, and did not want to follow these measures. The resulting Joint Comprehensive Plan of Action was agreed upon through taking into account the economic and security concerns of both sides. The P5+1 agreed to lift economic sanctions on Iran, if the latter agreed to abide by international norms on nuclear energy. This success in high-level negotiations presents a key model to emulate for future diplomatic negotiations in the General Assembly, in order to meet the eventual goal of total nuclear disarmament.

CASE STUDY OF NORTH KOREA

The DPRK ascended to the NPT in 1985 and initially complied with IAEA safeguards and investigations. In 1992, an IAEA report reported inconsistencies in DPRK's declared plutonium production. After additional IAEA investigations into DPRK's nuclear activities, DPRK withdrew from the IAEA and disallowed IAEA inspectors to continue their work under the Safeguards Agreement. Despite repeated discussions between the IAEA and DPRK, there has been no progress or agreement on a program of work and the DPRK has refused to give IAEA access to its nuclear facilities since 1992. Additional discussions between a variety of organizations and states yielded little progress on greater transparency or access into the DPRK nuclear program. In 2003 the

IAEA notified the DPRK that it was non-compliant with key safeguard measures. In response, the DPRK announced its withdrawal from the NPT, effectively releasing the DPRK from its safeguard agreement with the IAEA. Attempts at multilateral approaches since 2003 have proved unsuccessful. In 2006 the Security Council imposed a sanctions regime in response to the DPRK's missile launches and nuclear testing. The sanctions have been extended and remain in place as of 2018. The lack of IAEA inspections leaves the size and strength of the DPRK's nuclear program uncertain, but recent estimates by RAND Corporation, a public policy research group, suggest the state could have enough fissile material for up to 100 nuclear weapons by 2020. In early 2018, Supreme Leader Kim Jong-un announced that he was "committed to denuclearization", but concrete action to that effect has not been taken.

Additionally, at the 2018 UN General Assembly, just months after this declaration, the DPRK representative stated that the DPRK would not pursue nuclear disarmament without confidence building measures and a demonstration of reciprocity from other NWS, particularly the United States of America. The IAEA has expressed willingness to resume inspections in the DPRK, but this relies on the state granting transparency and open access which has been a persistent challenge for the last two decades. Furthermore, were the DPRK willing to engage in concrete disarmament, the ability of the IAEA to support this is limited. While IAEA can inspect material flows and production capacity, it does not participate in the actual dismantling of existing weapons. Other NWS are best-equipped to decommission weapons and have taken responsibility for such tasks in the past, but political tensions between the DPRK and key NWS have severely limited their cooperation on nuclear disarmament.

CASE STUDY OF SYRIA

On September 2007, Israel conducted an airstrike on what U.S. officials alleged was the construction site of a nuclear research reactor similar to North Korea's Yongbyon reactor. The extent of Syrian-North Korean nuclear cooperation is unclear but is believed to have begun in 1997. Investigations into U.S. claims uncovered traces of undeclared man-made uranium particles at both the site of the destroyed facility and Syria's declared research reactor. Syria has not adequately cooperated with the IAEA to clarify the nature of the destroyed facility and procurement efforts that could be related to a nuclear program.

Conclusion

The issue of nuclear non-proliferation will only become more pressing as nuclear weapons become easier to manufacture, conceal, and distribute. Furthermore, while a majority of the international community is on the same page regarding nuclear nonproliferation, many hostile non-state parties are not, and these parties do not always abide by international law.

Delegates should be prepared to propose solutions that would deter countries from acquiring or developing nuclear weapons. These solutions must also deal with the possibilities of militant, non-member nations that possess the technology, the materiel, and the willingness to use nuclear weapons.

Specifically, what measures will these solutions take to prevent the illegal distribution of nuclear weapons? What will your solution do in the case of a nuclear threat? How would these solutions be enforced? Monetary and non-monetary guarantees may or may not be effective, depending on your country's resources.

Delegates should also consider bilateral, economic, or political agreements that would reign in nuclear proliferation among violating countries and violating non-state parties.

Suggested Moderated Caucus

1. Scope of proliferation of nuclear weapons
2. Raising concerns about the historical Hiroshima and Nagasaki Survivors
3. Manufacturing, sale and sponsoring of Nuclear weapons with respect to Black Market Arms Trade
4. Review of the existing international frameworks
5. Insuring the adherence of obligations with concerning stockpile destruction
6. Discussing the failure of nuclear deterrence theory through the promise of retaliation and possibly mutually assured destruction (MAD)
7. Observance of existing operational plans for massive attacks that still remain from the Cold War days and threat of nuclear weapons
8. Negotiations toward developing cooperative multilateral ballistic-missile defense
9. Building of early warning system, effective treaty and draft regional framework.
10. Role of science and technology and intelligence agencies for finding information about Future action plan of using nuclear weapons for international security

Reference links

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The value of disarmament, arms control and non-proliferation - Security Council Briefing:

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UN chief (Former) deplores the "fractious deadlock" surrounding elimination of nuclear weapons:

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On the Elimination of Nuclear Weapons - António Guterres (UN Secretary-General):

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