Lex Fest Model United Nations Conference  
DISEC Study Guide  

**Agenda:**  
Conclusion of effective international arrangements to assure non-nuclear weapon against the use or threat of use of nuclear weapons  

**About DISEC**  
The first committee of the General Assembly is the Disarmament and International Security Committee (DISEC). DISEC deals with issues regarding world peace. According to Article 26 of United Nations Charter, DISEC’s mandate is “to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world’s human and economic resources.” Under the UN Charter, all member states and observers of the United Nations are automatically part of the first committee of the General Assembly, and have an equal vote. Documents also require a simple majority to be passed. With topics similar to those discussed in the Security Council, DISEC meets once a year for a 5-week session in October.

**Introduction**  
**Urgency**  
It seems obvious that in times of globalization the humanity faces the necessity in close coordination of all the states in the sphere of peacekeeping and strengthening international safety. In the era of nuclear power all the political actors become mutually dependant. The most effective way to reach the state of international security is to take specific measures in order to abolish the threat to all the states of the world, especially those, that have nothing to threaten with.  

Based on the UN Charter, the system of collective security is one of the ways to control disarmament, however it remains hardly effective for non-nuclear weapon states. That is why for the recent decades the problem seemed to be the most pressing and burning international issue.  

It is important to emphasize that this very problem has always been dependant on the political circumstances, so that mutual political efforts of the nuclear weapon and non-nuclear weapon states are extremely important to stop nuclear proliferation. Especially nowadays when the number of nuclear weapon states has increased and the global community does not seem to be stable enough to prevent further proliferation. Since 1990s the governments of several non-nuclear weapon countries lost their belief in the possibility to work out effective international arrangements to assure them against the use or threat of use of nuclear weapons. The “nuclear stories” and, practically scandals, of Democratic People’s Republic of Korea, Republic of Iran, Pakistan and Israel changed the mind of the political elites and the new leaders of the world right now go through another round of talks and meetings to tear the vicious circle.
The necessity of the assurance
Enabling the peaceful use of nuclear technology to support global energy demands and other human needs must be accompanied by deliberate, internationally-coordinated actions to minimize the possibility of nuclear accidents.

It is the most crucial issue for the non-nuclear weapon developing countries, as they are far weaker in the military and economic spheres, that is why it is highly important for them to get some guarantees so as not to be blackmailed by the powerful governments. Thus, as the developed countries vice versa feel the necessity of certain support from the part of the developing countries (when it goes for resources or concrete disapproved political step), and the whole humanity somehow realizes the importance to work out some mechanisms to conclude effective international arrangements. The collective cooperation is a basic principle in this term, because, as we have concluded nobody is urging the proliferation, except for those who are in fear.

Moreover, the absence of effective agreements prevents countries from positive dialog, becomes the Gordian knot for a certain number of regions, makes the governments looking for other sources of protection and enables nuclear-weapon countries use blackmailing. The world community is longing for the new established era, where there would be no necessity to spend enormous number of money on additional defensive projects to ensuring lasting security for their peoples and the nuclear disarmament would be achieved on a universal basis.

Until this it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter.

History of the discussed problem
The declaration of the General Assembly adopted in 1981 qualifies the actions of those governments and authorities, who are the first to use the nuclear weapon as the “the gravest crime against the humanity”. Thus the global community realizes that there is no possibility to build the system of international safety while the nuclear weapons exist and proliferate. “Being convinced that nuclear disarmament and complete elimination of nuclear weapons are essential to remove the danger of nuclear war” (as it is stated in the preamble of every single resolution of the UN concerning this issue), however, it is practically quite impossible to fulfill this aim, the society chooses another path. The left way is to control the proliferation and constantly reduce the number of nuclear weapons.

Thus since the 50s we face the necessity of certain arrangements to assure the non-nuclear weapon countries that there is no threat or possibility to use the nuclear power against them. The first steps in this sphere were taken by IAEA – since its foundation in 1957 the organization started the campaign in order to control the nuclear weapon countries: in most of the cases they were prohibited to share the nuclear weapon technologies with the rest of the world. Later on in 1960-1970 IAEA went through the evolution of its policy: the agency focused its attention on
the “frontier” countries, which were close to the technology of a nuclear bomb’s creation. Up to now the IAEA legally controls all the countries’ nuclear objects, even the peaceful ones. As the number of checking instruments IAEA operates was and is quite limited, the main idea was at least to stop proliferation, no one had an idea of protecting the non-nuclear weapon states.

As the time went by, new tools were inserted into the system of non-proliferation. Signing of the Nuclear Non-Proliferation Treaty in 1968 and the foundation of the Nuclear Exporters’ Committee in 1974 were to open the “non-proliferation regime”. Comprehensive Nuclear-Test-Ban Treaty, opened for signature in 1996 became a sound measure against the global nuclear proliferation. However, they could not be that effective as the “key” countries, including DPRK, India and Pakistan have never signed it.

Thus only in 1978 in the Russian report to the 10th special session of the General Assembly we can see the first suggestion ever the nuclear-weapon countries should give guarantees to those non- nuclear weapon states and offers the UN to take the most insistent measures to help concluding effective arrangements.

The UN took an active part in raising awareness about the problem mentioned above since 1990-s. 18 times the First Committee of the General Assembly adopted almost similar resolutions on the

**Conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons** and in all the cases the only delegation of the USA voted against the final resolution.

Talking about the local measures we cannot but take into an account the conclusion of 6 regional treatments that establish Nuclear-weapon-free zone with already more than 100 countries in them. But until we get all of them free from nuclear arms and nuclear threat, the discussion is not over.

**Facts about the measures**

**The UN resolutions’ summary**

We would like to concentrate on the resolutions of the 63th and 64th sessions, as those the most important for us.

Having carefully analyzed the recent and past resolutions, we can come to the conclusion, that during numerous decades the most difficult dilemma of concrete guarantees for the non-nuclear weapon states is still not solved. Moreover, there are no practical changes between the resolution of the 47th session and the resolution of the 63th session of the First GA Committee of the UN. In most of the cases, it is only stated that the GA is satisfied “with no objections during the Conference on Disarmament and it Appeals to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character”.
The only difference can be noticed between the resolutions of 2009 and 2010 is in the following: in the latter the GA is not Welcoming the progress achieved in recent years in both nuclear and conventional disarmament anymore and the statement “Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control” was changed at practically the same “Noting that the renewed interest in nuclear disarmament should be translated into concrete actions for the achievement of general and complete disarmament under effective international control”.

From session to session the developing states propose the similar drafts of the resolutions, vote for it, the rest of the countries remain neutral and the USA take the opposite position. Such kind of a situation reminds of a dead-end and makes us invent something evolutional.

**Other treaties’ summary**
Below is a brief description of the fundamental NPT treaty, more specifically the points, which concern non-nuclear-weapon States.

The very first article of the treaty includes the notable conclusion about the prohibition for nuclear-weapon States to help or force, in any way, any non-nuclear-weapon State gain a control over nuclear weapons. It is prohibited for non-nuclear-weapon States to search or receive any possibilities to gain such a control in the second article as well. Moreover, this article obliges such States not to produce any nuclear weapon by themselves.

It is also mentioned that the process of the inspection by IAEA, as well as binds every State, participating in the treaty, not to provide any non-nuclear-weapon State with materials, equipment or technologies for peaceful purposes, unless they “shall be object to the safeguards required by this Article”.

The treaty gives non-nuclear-weapon States a possibility to gain “potential benefits from any peaceful applications of nuclear explosions” on easy terms.

Also it is crucial to notice, that the duration of the treaty was extended indefinitely and without conditions during the Review Conference in New York City on May 11, 1995.

The Geneva Review Conference of the NPT, held in 1985, represented a missed opportunity for states parties to respond to the challenges, and addresses long-standing issues.

It is supposed to be important to analyse the only productive international agreement on the assurance of the non-nuclear-weapon countries – final declaration of the third review conference of the NPT 1985, signed in Geneva.

What is important, the final document constantly repeats the already-named appeals and calls. However, this very document also mentions that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure and therefore the process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving the world entirely free of nuclear weapons. The Conference also recognizes that for the maximum effectiveness of any treaty arrangements for establishing a nuclear-weapon-free zone the co-operation of the nuclear- weapon States is necessary. In this connection, the nuclear-
weapon States are invited to assist the efforts of States to create nuclear-weapon-free zones, and to enter into binding undertakings to respect strictly the status of such a zone and to refrain from the use or threat of use of nuclear weapons against the States of the zone. Moreover, we emphasize that the Conference considers that the most effective guarantee against the possible use of nuclear weapons and the danger of nuclear war is nuclear disarmament and the complete elimination of nuclear weapons. Pending the achievement of this goal on a universal basis and recognizing the need for all States to ensure their independence, territorial integrity and sovereignty, the Conference reaffirms the particular importance of assuring and strengthening the security of non-nuclear-weapon States Parties which have renounced the acquisition of nuclear weapons. The Conference recognizes that different approaches may be required to strengthen the security of non-nuclear-weapon States Parties to the Treaty.

But, a Review Conference should not only be judged by the ability or thereof lack by states parties to agree by consensus on a final declaration. Although short on substance, the Conference offered an opportunity to explore new ways to strengthen the Treaty, including the ways to enforce compliance and to prevent further withdrawals. While the Conference could not find ways to deal collectively with these challenges, it did focus the spotlight on a number of pressing issues of common concern.

There also exists quite an important Convention on the Physical Protection of Nuclear Material, which entered into force on 8 February 1987. In July 2005 it was amended. This convention is remarkable on the score of its purpose to protect any transferring nuclear material, «to avert the potential dangers posed by the unlawful taking and use of nuclear material», and, consequently, to protect countries from such dangers. This convention doesn’t concern nuclear weapons, though it gives some sort of guarantee to non-nuclear weapon States of preventing of uses of potentially dangerous nuclear materials. Once all the documents and resolutions come to recommended measures and don’t offer any particular steps to the point, this convention can also be accounted for our topic.

**Concrete measures proposed in the documents**

The Conference in Geneva noted the lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear arms race and nuclear disarmament, the prevention of nuclear war including all related matters and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

However, 15 years later this statement the concept of “13 steps” was admitted and up to nowadays seems to remain the only somewhat certain suggestion. The 13 steps is a paragraph of the Final Document (agreed by consensus) of the 2000 Review Conference of the Nuclear Non-Proliferation Treaty, providing a set of “practical steps for the systematic and progressive efforts to implement Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons”. The Conference agrees on the following practical steps for the systematic and progressive efforts to implement Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs
3 and 4(c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament":

1. The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

2. A moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending entry into force of that Treaty.

3. The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

4. The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

5. The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

6. An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under Article VI.

7. The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

8. The completion and implementation of the Trilateral Initiative between the United States of America, Russian Federation and the International Atomic Energy Agency.

9. Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

   - Further efforts by the nuclear-weapon States to reduce their nuclear arsenals unilaterally.
   - Increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to Article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.
   - The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.
   - Concrete agreed measures to further reduce the operational status of nuclear weapons systems.
   - A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination.
10. Arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.

11. Re-affirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

12. Regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

13. The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world. These steps may well become a base for the future proposals.

It is also quite interesting, that the preamble of the UN resolution mentions “the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, with a view to reaching agreement on this question”, with no word about any measures taken in the end.

Besides that, it is quite typical that the search for any global and unified document about resembling protection measures, but concerning nuclear weapons, gave nothing. There are only several temporal, regional or otherwise restricted agreements, which partly safeguards countries against the dangers of nuclear materials and weapons. Nuclear-Weapons-Free Zones should be mentioned in that case (they are: Antarctica, Outer Space, Latin America, Caribbean, Seabed, South Pacific, ASEAN, Mongolia, Central Asia, Africa regions), in which no operations with nuclear weapons, including transportation, are allowed.

Existing problems

Problems left to work at

As we can see, constant attempts, which is more, repeated, were undertaken, however, in spite of sincere aspirations of many countries, certain disagreements, open and silent, prevented dreams of guaranteed international safety from being realized. There are still a lot of problems to be pointedly solved, as, in essence, for the decades of discussions nothing has got better.

First off, we should define the major contradictions that arise when regional or global treaties are negotiated. After that, describe the necessary conditions on which the governments are ready to make a compromise on the agreement effectiveness issue. We should consider the legal
restrictions that will be supported by the international community in case the joint security is compromised. The NPT approval is to be assisted and serve a basis for the modern worldwide security structure. In other case this will not make sense as you do not know you have the world community support at your back.

Las but not the least goes an important question about concluding a global treaty about protection of nuclear weapons, especially while its transporting, like the one which was mentioned above.

**Problems to cover during the committee session**

The committee, for sure, may not be asked to discuss the juridical angle of the question and the competence of the relevant bodies such as IAEA. What we may suggest is to cover the following somewhat controversial points:

- The importance of regional agreements
- The necessity to join the CTBT for all the states as an effective measure for global security
- The non-nuclear weapon countries demand for guarantees: fair or exaggerated?
- “Concession for guarantees” – a reasonable space for a dialog? (Are the developing countries ready to formulate demands, suitable for the whole global community in order to reach the compromise?)

**Conclusion**

Altogether, we can clearly see, that the subject of «conclusion of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons» is far from being closed, and nowadays a lot of obstacles still hamper the process. Non-compliance with the requirements of the treaty by one side as well as withdrawing from the treaty of any single state shakes faith in the efficacy of the treaty and sets an example for the rest of the states. That is why it is particularly important (and that is fixed in most of the documents) that all the states are to follow the requirements of the international protocols and if any state violates the commitments the whole world community starts some concrete measures through the institutions of the UN or avoiding them. However, “Taking note further of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States”, it is far not enough to protect the non-nuclear weapon states and prevent them from starting protecting themselves by launching military nuclear projects as the Republic of Iran or the Democratic People's Republic of Korea.

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.