

Committee: Disarmament committee
Topic: Enforcing the UN ban of nuclear weapons
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I) Introduction

Nuclear weapons have played a major role in the international defence system in the past seventy years, often regarded as a mean to deter the physical attacks of an opposing nation. They represent a crucial factor related to the tense relations between governments.

The treaty for the prohibition of nuclear weapons was issued after the United Nations conference held in New York from 27th to 31st March and from June 15th until 7th July in 2017. Members states representatives gathered at the UN headquarters to draft a binding treaty to eliminate completely nuclear weapons. The document addresses several key points in the debate regarding the use of the above mentioned weapons. Recalling several treaties, past UN resolutions as well as international conventions, it focuses on the numerous attempts to solve this crucial matter to the international security. Reaffirming the importance of the full and effective implementation of cornerstones such as the Treaty on the Non- Proliferation of Nuclear Weapons as well as the first UN resolution dated 1946 regarding the matter shows the necessity of remaining seized on the matter. Furthermore, the perambulatory clauses focus on the legal implications of the employment of nuclear weapons which "would be contrary to the rules of international law applicable in armed conflict, in particular, the principles and rules of international humanitarian law". The Geneva Conventions addresses this matter fully emphasizing that nuclear weapons aren't simply a threat to human life but to the law since they aren't legal means in a conflict context. Finally, before focusing on the active clauses, it expresses the concern of the United Nations regarding the slow progress of the process toward achieving the total elimination of nuclear weapons from national arsenals. The continued reliance of national military and security policies of member states on atomic devices fully preoccupies the international community.

The first article clearly states that is forbidden for signatory countries to:

1. Develop, test, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;
2. Use or threaten to use nuclear weapons or other nuclear explosive devices;
3. Allow any stationing, installation or deployment of any nuclear weapons or other nuclear explosive devices in its territory or at any place under its jurisdiction or control

In article 2, the treaty binds all signatory nations to:

1. declare owned or controlled nuclear weapons,
2. establish a program in order to eliminate or irreversibly convert of all nuclear-weapons-related facilities,
3. Cooperate with the competent international authority designated by the United Nations to verify the irreversible elimination of its nuclear- weapon program.
4. conclude a safeguards agreement with the International Atomic Energy Agency regarding the full compliance with the treaty guidelines

The full content of the resolution is available here:

<http://undocs.org/A/CONF.229/2017/8>

Reactions to the UN decision: <https://www.nytimes.com/2017/07/07/world/americas/united-nations-nuclear-weapons-prohibition-destruction-global-treaty.html>

II) General overview and historical background

Being extremely powerful weapons, which derive their destructive power from nuclear reactions, nuclear weapons are considered as the most dangerous type of military devices in possession of states. Even if only twice during world history those weapons have been employed in the bombing of Hiroshima and Nagasaki during World War II, several tests have been performed in the last decades.

The United Nations have been trying to countermeasure the spread of those weapons since its foundation. In the last decades, a number of treaties, as well as bilateral agreements, have been drafted to tackle this issue. The final aim of UN is to ensure the complete elimination in the future of nuclear weapons and promote the use of nuclear energy for peaceful purposes.

In the 20th century, several studies have been carried on by scientists regarding radioactivity and atom characteristics. In 1933 those discoveries will lead Leó Szilárd, the academical inventor of the nuclear bomb, to propose and later patent with Enrico Fermi the idea of a nuclear chain reaction via neutrons. Six years later the first nuclear fission experiment on American soil was performed at Columbia University. The following year they identified the rare isotope uranium-235 as being the active component of the fission.

WW2

In 1939, fearing the possibility that Nazi German scientists could develop nuclear fission weapons, as suggested by a letter signed by Albert Einstein to U.S. President Franklin Delano Roosevelt, the Uranium Committee was founded. However, a large number of resources was committed to it only after the Japanese attack on Pearl Harbor. The United Kingdom and the United States agreed to pool their resources to help this team, which led by J. Robert Oppenheimer, continued researching in a secret laboratory at Los Alamos helped by many scientists coming from Europe as well as the U.S. After D-Day, the Allied forces certified that the Nazi-German government hadn't done significant developments to establish a nuclear program. However, a nuclear primitive device had already been developed in Thuringia in March 1945.

On July 16, 1945, in New Mexico the first nuclear weapon test was conducted, codenamed Trinity, releasing power equivalent to 19 kilotons of TNT. After the Potsdam Conference, where both Churchill and Stalin were informed by Truman about the development of the new weapons, the ultimatum to Japan was issued. It promised complete destruction related to the eventuality of a refusal, however, nuclear weapons weren't mentioned. Hiroshima and Nagasaki were chosen as targets to hit in order to send a strong message to the Japanese leadership and force Japan's capitulation. On August 6, 1945, Little Boy, an uranium-based weapon, was dropped on the city of Hiroshima, while three days later Fat Man, a plutonium-based weapon targeted Nagasaki. This was the first and the only instance of nuclear weapons use during a war.

In 1946 the newly formed United Nations issued a resolution in order to form a committee specifically created to deal with the consequences and the implications of the discovery of nuclear energy and weapons of mass destruction.

The cold war

After the end of WW2, the knowledge regarding nuclear weapons was not shared publicly and both U.S. and the Soviet Union started developing their national nuclear projects which led to the rush towards nuclear armaments in order to obtain nuclear supremacy. The growing tensions between the two governments divided Europe into two virtual macro areas: the Western part under the American influence and the Eastern part under the Soviet influence. Additionally, disagreements regarded also

the adopted policies to avoid the remilitarization of European nations as well as ensure postwar stability. While Truman compelled the Western countries to join NATO (North Atlantic Treaty Organization) after the drafting of the Atlantic Pact, Stalin compelled the Eastern communist countries to sign the Warsaw pact as a counterpart to the NATO nations. In 1946, the Baruch plan was proposed by Bernard Baruch. The Soviet vetoed the plan since it was perceived as a mean to address exclusively the Soviet nuclear efforts. This attempted resolution ended immediate postwar negotiations regarding this matter. In the same year, the American Congress established the civilian Atomic Energy Commission (AEC) to take over the development of nuclear weapons from the military.

During the Cuban Missiles Crisis, the confrontation between the U.S. and the Soviet Union reached a critical level. The 1962 crisis lasted totally 13 days. After the failed Bay of Pigs Invasion and the deployment of American missiles both in Turkey and Italy, the Soviet leader Nikita Khrushchev placed Soviet missiles on the Cuban island following the request of Fidel Castro in order to deter a future invasion by American forces. In response to these agreements between Khrushchev and Castro, the US established a military blockade to prevent further missiles from reaching Cuba. Following a long period of negotiations, the U.S. President J.F. Kennedy agreed to publicly declare the non-intention to invade Cuba while Khrushchev agreed to dismantle their weapons on the island. Moreover, the American missiles on Turkish soil were dismantled as well. This event has great relevance since it was the closest the two nations' disagreements came to escalate in a full nuclear confrontation in the Cold War context.

Other events with the deployment of nuclear weapons occurred, however, none of them arose such concern in the international community as the Cuban Missiles Crisis. Meanwhile, abolitionist movements started organizing protests against nuclear tests, especially on American soil. The development of the doctrine of Mutually Assured Destruction helped to balance the two superpowers and led to the drafting of the Anti-Ballistic Treaty signed both by the U.S. and the USSR. The signing of other treaties such as the Strategic Arms Limitation Treaty and Outer Space Treaty softened gradually the tensions between the two nations, solving the conflict.

III) Previous attempt to solve the matter and UN treaties

Treaty on the Non-Proliferation of Nuclear Weapons

The NPT is an international agreement signed by 191 states including all five permanent members of the Security Council. The aim of this treaty, which was drafted in 1968 and entered into force in 1970, is to prevent the spread of nuclear technology for military purpose and achieving nuclear disarmament. In order to verify the compliance of states with the treaty guidelines, the IAEA (International Atomic Energy Agency) was founded to carry inspections. On 11 May 1995, the Treaty was extended indefinitely. In 2010 the Review committee of NPT parties agreed to a final document including the implementation of the 1995 resolution concerning the Middle East. However, the 2015 committee ended without the consensus to adopt a new follow up resolution which constitutes a severe setback.

United Nations Millennium Declaration

The UN Millennium Declaration was passed by the General Assembly of the UN in 2000. Its principles were then revised in 2005 at the World Summit of leaders where 189 nations' leaders approved its key objectives. Specifically, the second part of the declaration regards peace, security and disarmament.

Article 9 clearly states that the United Nations resolved: "To strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim,

including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.”

Baruch plan

The Baruch Plan (1947) was largely written by Bernard Baruch and proposed by United States government at the first conference of represents one of the first attempts to tackle nuclear energy and nuclear weapons matter. The proposal invited all member states to dismantle and remove all types of weapons of mass destruction from military arsenals and consequently establishing countermeasures against non-complying countries. Moreover, the plan further explained the necessity to share scientific knowledge regarding atomic energy for peaceful purposes.

Comprehensive Nuclear Test Ban Treaty

This treaty, adopted in 1996 by the UN General Assembly, bans all nations from performing nuclear tests or any kind of nuclear explosions for civilian or military purposes. It has been adopted but it hasn't yet entered into force due to non-ratification of eight nations.

The first article states:

- a. Each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control.
- b. Each State Party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion.

The Treaty on the Prohibition of Nuclear Weapons

opened for signature at United Nations headquarters in New York on **20 September 2017** and will remain open indefinitely. Once 50 nations have ratified or acceded to it, it will enter into force.

<http://www.icanw.org/the-treaty/>

How the ban treaty works

The Treaty on the Prohibition of Nuclear Weapons – adopted by 122 nations on 7 July 2017 – offers a powerful alternative to a world in which threats of mass destruction are allowed to prevail. It provides a pathway forward at a time of alarming global crisis.

Prior to the treaty's adoption, nuclear weapons were the only weapons of mass destruction not subject to a categorical ban, despite their catastrophic humanitarian consequences. The new agreement thus fills a major gap in international law.

History shows that the prohibition of certain types of weapons facilitates progress towards their elimination. Weapons that have been outlawed by international treaties are increasingly seen as illegitimate, losing their political status.

Arms companies find it more difficult to acquire funds for work on illegal weapons, and such work carries a significant reputational risk. Banks, pension funds and other financial institutions divest from these producers.

The UN nuclear weapon ban treaty complements the prohibitions on biological and chemical weapons, land mines and cluster munitions, and reinforces various other legal instruments on nuclear weapons, including the non-proliferation treaty of 1968.

Underpinning the decision by governments and civil society to pursue the ban was our belief that changing the rules regarding nuclear weapons would have a major impact even beyond those nations that would formally adopt the treaty at the outset.

This belief stemmed from experience with treaties outlawing other weapons, which have established powerful norms that greatly influence the policies and practices of states that are not yet parties to them.

The treaty aims not only to advance nuclear disarmament, but also to prevent further proliferation. It will enhance the security of people everywhere, not least of all those in nations currently armed with nuclear weapons.

The three conferences on the humanitarian impacts of nuclear weapons in 2013 and 2014 shed new light on the perils of living in a world armed to the brink with these weapons. They clarified the urgent need to prohibit them under international law.

The treaty embodies the principle that there can be no safe hands for nuclear weapons, establishing the same standard for all its parties. Far from ignoring the security concerns of governments, the treaty is a direct response to them.

There are currently 70 signatories and 21 states parties.

IV) Key Nations

Parties involved in the matter: <http://www.icanw.org/why-a-ban/positions/>

Russian Federation

After the fall of URSS, which had developed a peak of 45,000 warheads in 1986, the Russian Federation inherited Soviet nuclear weapons as its successor. Russia is a nuclear weapon state party to the NPT and one of the three depository states. Under the provisions of several treaties such as the START treaty, new START treaty and several others, the Russian Federation has diminished its nuclear arsenal: the current total stockpile, including those awaiting dismantlement, is 7,000 warheads. However, most of these agreements are now expired, jeopardising once more the relations between the nuclear weapons states.

North Korea

Currently, the Democratic Republic of Korea owns from 13 to 60 nuclear warheads on its territory. In the past several years the nation has developed a nuclear and biological weapons program. In 2003 they withdrew from the NPT, yet their withdrawal is disputed. Since 2006 the nuclear program has been developing at an accelerated pace and numerous tests have been performed (six nuclear tests as of September 2017) alarming the international community. The United Nations imposed high sanctions in the last decade as a response to Pyongyang refusal to comply with approved resolutions' directives.

The U.S.

The United States has been reducing the size of their nuclear arsenal under the 2010 New Strategic Arms Reduction Treaty. According to the reports in 2017, the nation has 1,800 warheads deployed on different vehicles. Additionally, 4,000 nuclear warheads are stationed in Europe. The United States has conducted 1,054 nuclear tests totally. A nuclear Posture Review was requested by President Trump in January 2017 to assess clearly the nation nuclear arsenal size taking in consideration the North Korean nuclear program development and the nation refusal to comply with the UN directives.

Iran

Iran isn't currently in possession of nuclear warheads, however, the nation is still conducting activities and studies to create one. After one decade of negotiations talks, Iran along with the P5 nations (China, France, Germany, Russian Federation, UK and United States) concluded the Joint Comprehensive Plan of Action which put restrictions to Iran nuclear activities and imposed verification measures to check the nation's compliance with the agreement.

V) Possible solutions

In order to enhance the dismantlement of nuclear weapons on member states' soil and consequently apply the principles contained in the latest resolution regarding the matter, it's fundamental to elaborate new measures to pursue this purpose. Therefore, it remains fundamental to guarantee the member state full compliance with the UN directives while helping them to carry through national dismantlement plan. Acting directly on national jurisdiction is not UN pertinence while issuing customized action plan after having addressed eventual humanitarian or environmental risks to pursue the arsenal progressive reduction is possible.

Diplomacy is United Nations matter base and delegates should not forget to include periodic meetings to review the elimination progress and to remain fully seized on the matter. Moreover including an increasing number of member states in the treaty should be the final aim of delegates' proposed resolutions. Concluding it represents a beneficial element to involve specialized intergovernmental agency such as the IAEA to intervene regarding the technical aspects of the arsenal dismantlement implementation.

Member states should focus their attention towards the drafting and approval of measures in order to make effective the UN treaty on the prohibition of nuclear weapons as soon as possible. The delegates should elaborate their resolution focusing on:

- a. drafting measure related to the risks of existing nuclear weapons
- b. propose measures to eliminate the risk of accidental, mistaken, unauthorized or intentional
- c. taking forward negotiations talks in order to dismantle nuclear arsenal
- d. increase the awareness worldwide on the topic and the consequences of nuclear detonations

VI) Key terms

Nuclear weapon: a device that through atom fission creates an explosion

Mutually Assured Destruction: is the military doctrine in which the deployment of nuclear weapons by one of the opposing side and consequently the use from the other side would guarantee the complete destruction of both parties

IAEA: Is an intergovernmental institution which promotes cooperation in the nuclear field aiming to the peaceful use of nuclear-derived devices as well as contributing to obtain a peaceful and safe international community

NATO: (The North Atlantic Treaty Organization) is an alliance of European and North American countries formed after the end of WW2 for military and safety purposes

Warsaw pact: is a treaty signed between the Soviet Union and the seven Soviet satellites states during the Cold War as a counterpart to the NATO allies

Strategic Arms Limitation Talks: these talks were carried between the United States and the Soviet Union, and then the Russian Federation to draft bilateral agreements to avoid future nuclear escalations. In 1991 these efforts led to the Strategic Arms Reduction Treaties I, which was followed by its successors START II in 1993 (it wasn't ratified by the United States) and new START in 2011

VII) Useful links

<https://www.armscontrol.org>

<https://www.un.org/disarmament/ptnw/>

<https://www.iaea.org/> <http://www.ctbto.org/>

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https://en.wikipedia.org/wiki/Comprehensive_Nuclear-Test-Ban_Treaty <http://www.gicnt.org/>

<https://commons.wikimedia.org/w/index.php?curid=8088881>

<http://www.nti.org/newsroom/news/new-nti-tutorials-edcuate-biological-weapons-and-nuclear-testing/>

VIII) Bibliography

[1] Articles extrapolated from the original text of the Resolution

[2] Public Domain, <https://commons.wikimedia.org/w/index.php?curid=8088881>

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