

جيمس مدرستنا الهندية
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United Nations Simulation Conference 2022

United Nations Security Council



Background Guide

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From the Chairs:

Greetings Delegates!

It is with immense pleasure that we welcome you to Our Own Indian School's prestigious United Nations Simulation Conference 22', as the chairs of the General Assembly. We are extremely honored that you have taken the time out of your busy schedules to take part in our conference. Model United Nations encourages one to thrive within a competitive as well as a cooperative environment. It not only enhances one's social skills and confidence in the realm of public speaking, but encourages one to delve deeper into the political, economic, and social issues that cloud modern society. These conferences enable us to recognize the flaws within the national and international systems we have in place, and thus critically analyze the world around us.

By providing a diplomatic platform for the discussion of real-world problems and its potential solutions, we hope you will find a way to learn from each other. We are ever so excited to see you all in person for this conference after our last two remote ones. We look towards a fruitful conference, and hope that this background guide successfully assists you with your upcoming load of research for the conference.

Feel free to contact us in case of any doubts or queries you might have. We're here to help you anytime!

Regards,

Senaara Sonu, Daksh Mehrotra, Hessa Omar

Chairs - General Assembly

THE GENERAL ASSEMBLY

The General Assembly of the United Nations (GA) was established in 1945 under the Charter of the United Nations and it occupies a central position as the chief deliberative, policymaking, and representative organ of the United Nations. The Assembly is empowered to make recommendations to States on international issues within its competence. It has also initiated actions – political, economic, humanitarian, social, and legal – which have benefited the lives of millions of people throughout the world. It comprises 193 Members of the United Nations and provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter. The General Assembly plays a key role in peace operation financing. Under the UN Charter, the General Assembly cannot discuss and make recommendations on peace and security matters which are at that time being addressed by the Security Council.

The six Main Committees are the:

- The Disarmament and International Security Committee (First Committee);
- The Economic and Financial Committee (Second Committee);
- The Social, Humanitarian and Cultural Committee (Third Committee);
- The Special Political and Decolonization Committee (Fourth Committee);
- The Administrative and Budgetary Committee (Fifth Committee);
- The Legal Committee (Sixth Committee).

FUNCTIONS AND POWERS

According to the Charter of the United Nations, the General Assembly may:

- Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations on it.
- Discuss, with the same exception, and make recommendations on any questions within the scope of the Charter or affecting the powers and functions of any organ of the United Nations
- Consider and make recommendations on the general principles of cooperation for maintaining international peace and security, including disarmament
- Consider and approve the United Nations budget and establish the financial assessments of Member States
- Elect the non-permanent members of the Security Council and the members of other United Nations councils and organs and, on the recommendation of the Security

Council, appoint the Secretary-General

- Initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realization of human rights and fundamental freedoms, and international collaboration in the economic, social, humanitarian, cultural, educational, and health fields
- Consider reports from the Security Council and other United Nations organs
- Make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries

AGENDA 1: *The Question of Private Military Contractors and Military Budgets*

INTRODUCTION

The end of the cold war. An international community riddled by instability within its political, economic and social hemispheres. Nations at the edge between peace and war, coupled with an economy barely recovering from the financial burden caused by the two world wars. In such an unstable climate, a new industry arose, one that has an estimated value of at least a 100 billion dollars currently. The Privatization of the Military.

Private Military and Security contractors can be defined as a private business organization that specializes in the provision of security and military services to governments and individuals. In other words, we can say that this industry is one that engages in war for profit. This isn't a new concept. Private military organizations have existed since the classical ages in the form of mercenaries, but this practice died down with the establishment of nation states and rise in nationalism. The practice however, remerged slowly due to decolonization and civil wars. But it truly began to achieve concrete conditions for growth after the collapse of the economy at the end of the cold war, when financial constraints led to governments looking for cheaper alternatives to maintain their presence in foreign soil while at the same time, combatting the instability due to their leave. These financial benefits enabled states to become reliant on PMSCs, and hence, war became a marketable industry.

The services provided by these contractors include personal guarding, risk management, security training, security assessments, interrogations and even intelligence services.

These companies provide their services primarily within developing and "low-intensity" conflict areas, and they have been highly beneficial for UN peacekeeping troops and developing nations to maintain security far more effectively. However, the employment and utilization of these services by powerful governments and private individuals raises various ethical dilemmas.

KEY TERMS:

1. ***Privatization***: Privatization refers to the transfer of government services and assets to the private sector. Services conventionally carried out by the government would be contracted out from individuals and privately-owned organizations. Hence, governmental restrictions are not necessarily applied, and the transferred services

are carried out in the view of maximizing profit. It could also refer to the deregulation of private industries.

2. ***Mercenaries***: As defined by Article 1 in the “International Convention Against the Recruitment, Use, Financing and Training of Mercenaries”, a Mercenary can be considered as someone who “is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar rank and functions in the armed forces of that party”. This essentially means that a mercenary is someone who engages in conflict in order to earn money, and is not directly involved in the conflict.
3. ***Private Military and Security Contractors***: Private Military and Security Contractors refer to those employees that work for Private Military and Security Companies, rendering military and/or security services in the regions they’re employed in. This title distinguishes them from the infamous label of “mercenaries”, even though by definition they are both the same.
4. ***Private Military and Security Companies (PMSC)***: Private Military and Security Companies are those private business firms that provide military and/or security services, including training for armed forces and security personnel. They provide these services both locally and abroad, and are utilized by national governments, as well as individuals and private companies seeking protection. Over the years, they have risen as a legitimate corporate activity and have become a recognized part of the military industry.
5. ***Military Expenditure***: The financial resources allocated by a nation for the upkeep, maintenance and development of their military and defense sector is known as Military Expenditure.

AREAS OF CONCERN

1. Lack of accountability

– Despite the fact that PMSCs are a feasible option and are cost-effective, they’re barely unaccountable to domestic governments, and lie outside the jurisdiction of domestic governments. This is because the lines between offensive and defensive roles are blurred, as it is hard to hold them at fault in a region where hostilities are

inevitable. Moreover, those who hire these companies are highly susceptible to fraud, as with any business organization. For example, the US Commission on Wartime Contracting in Iraq and Afghanistan reports that around 31 billion - 60 billion dollars out of the 206 billion dollars spent on contracts and grants in Iraq and Afghanistan were lost to waste and fraud.

2. *Human Rights Violations*

– As PMCSs are out of the control of any governing authority, there are high probabilities, and even real-time cases of such organizations conducting human rights violations in the areas they're deployed in. Engagement in illegal activities such as the abuse and torture of detainees, shootings and killings of civilians, sexual harassment and rape, human trafficking etc. are some of the known accusations against them. One of the most well-known examples of these violations is the 2007 Blackwater Scandal, also known as the Nisour-Square Massacre, in which employees of the Blackwater Security Consulting contracted by the US government shot at Iraqi civilians, killing 17 and injuring 20. Although the firm was expelled from their services in the country, the incident still raised questions regarding the ethics of employing mercenaries.

3. *Perception of War*

– The primary appeal of PMSCs is perhaps its lack of any constitutional or parliamentary obstructions when it comes to their deployment. As a private business entity, they are free to make decisions as to what conflicts they take up, and which ones they refuse. This is why governments prefer to hire these companies, as they can get around the legal and monetary implications of having to dedicate resources to the national military.

This changes the entire common perception of war in itself. War here becomes one that thrives off a corporate agenda: the maximization of profit. Because of this factor, there is a major pick-and-choose behavior when it comes to what kinds of cases they take up. Rather than protecting the general public, which is what we expect of military personnel to do, they usually protect the ones who pay for it. Infrastructure, and individuals rather than civilians.

4. *Lack of Effective Solutions*

Although there have been some efforts by the international community to counter this issue, they have barely been effective. This is mainly because the definition of mercenaries within these resolutions doesn't exactly apply to Private Military Contractors. National efforts to combat the issue too are ineffective due to the absence of a common understanding among different nation states on what they define mercenaries as. Moreover, most states are unwilling to take accountability for the issues caused by those working to "promote national security objectives". Although alternatives such as self-regulations among associations of such organizations have been suggested, the highest form of punishment for violation of codes of conduct is expulsion, which is quite an ineffective manner to prevent abuse.

MAJOR PARTIES INVOLVED / CURRENT STANCES

1. China and East Asia:

- Although there is a sizable private security sector in China and East Asia, much of it is domestic, unarmed, and not permitted to employ lethal force, which is only allowed for the People's Armed Police and the People's Liberation Army. But for the security of their operations, Chinese businesses operating abroad, such as those engaged in oil and mineral extraction, frequently use private security companies. Except where it needs the ability to enter into contracts, China aims to strengthen national sovereignty. Many other East Asian nations share these perspectives.

2. The European Union:

The need to enhance the role of international law, particularly the force of the law vis-à-vis private enterprises regardless of the nature of those private firms, is acknowledged by the European Union. For its regulation, the EU aims for high legal standards, specific laws, and carefully established practices. The Southeast European nations, such as Serbia and Croatia, are a partial exception, where the provision of private military services is a significant export business as a result of the sizable military bases left over from the wars of the 1990s.

3. The Non-Aligned Movement:

The 120 nations that make up the largest UN voting bloc, with countries belonging in Africa, East Asia, and Latin America, are often divided and tend to only reach vague agreements. Most people agree that PMSCs are a unique concern, especially when it comes to their drive to suppress such enterprises and restore their own national sovereignty. They largely concur that the foreign nations from which these corporations originate should work together to limit their freedom, accept legal responsibility for their actions, and limit their travel to just host countries where they are particularly welcome.

4. *The United States:*

The United States is considered the largest supplier and consumer of PMCs. They deployed more contractors in Afghanistan and Iraq than their uniformed soldiers. PMCs participated in some of the most widely condemned aspects of those conflicts, including the rendition and torture programs, the unspeakable abuses at Abu Ghraib prison, and the Nissour Square civilian massacre.

5. *Russia*

Russia's use of PMCs has grown exponentially over the past few years, reflecting lessons learned from earlier deployments, a growing expansionist mindset, and a desire for economic, geopolitical, and military gains. Ukraine served as one of the first proving grounds for PMCs, beginning in 2014 till present. These private mercenaries worked with local forces in countries such as Syria and Libya. Over time, Russia expanded the use of PMCs to sub-Saharan Africa, Latin America, and other regions—including countries such as Sudan, the Central African Republic, Mozambique, Madagascar, and Venezuela. PMCs now fill various roles to undermine U.S. influence and support Russia's expanding geopolitical, military, and economic interests.

PAST RESOLUTIONS

1. The Convention against the Recruitment, Use, Financing and Training of Mercenaries

- PMSCs often slip through the cracks of various direct regulations, such as this one. The loopholes in this convention prevent any actual regulation taking place against the

activities of these enterprises throughout various international locations. For example, the convention does not entail those contractors that are nationals to parties of conflict.

2. Montreux Document

- In 2008, Switzerland led an initiative to develop the Montreux Document, which was a list of "best practices" for the Private Military Industry and Contracting States. The Document recommends that states conduct due diligence on PMCs prior to contracting, and that PMCs conduct due diligence on personnel prior to hiring. However, it is non-binding and provide no justice for victims, nor sanctions for PMCs beyond professional debarment.

3. International Code of Conduct Association (ICoCA)

- The International Code of Conduct Association (ICoCA) is an international association of PMCs, which created the International Code of Conduct for Private Security Service Producers, "to ensure that providers . . . respect human rights and humanitarian law." However, this effort yielded little to no positive results, as the code is non-binding and does not ensure adequate consequences for PMCs who violate it.

QUESTIONS TO BE CONSIDERED

1. How can we define PMCs in a manner that addresses the various issues mentioned above?
2. What are the regulations that must be implemented when it comes to the use of PMCs in the contexts of states and individuals?
3. What are the guidelines that must be set for enterprises that are involved in the provision of such services?
4. Who can be allowed to avail the services of PMCs?
5. Can PMCs replace peacekeeping missions? Should the UN peacekeeping missions and PMCs fall under the same category?
6. How can the command over PMCs be split between states and firms?
7. How can we hold these firms and states that use these services accountable?

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AGENDA 2: *Preventing the proliferation of nuclear weaponry with an emphasis on the Non-Proliferation Treaty.*

INTRODUCTION

The most lethal weapons on earth are nuclear ones. The use of such weaponry can lead to the destruction of entire cities, the death of millions, and the endangerment of the environment and lives of future generations due to its long-lasting devastating effects. These weapons' very existence makes them dangerous. There have already been more than 2,000 nuclear tests, 13,080 nuclear weapons are reportedly in existence today. The best defense against such threats is disarmament, but achieving this objective has proven to be a very challenging task.

The NPT is an international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament. Opened for signature in 1968, the Treaty entered into force in 1970. On 11 May 1995, the NPT was extended indefinitely. A total of 191 States have joined it, including the five nuclear-weapon States. More countries have ratified the NPT than any other arms limitation and disarmament agreement, a testament to the Treaty's significance.

The nuclear-weapon states (NWS) are the five states — China, France, Russia, the United Kingdom, and the United States – they are officially recognized as possessing nuclear weapons by the NPT. The treaty recognizes these countries as nuclear arsenals, however, they are supposed to refrain from building and maintaining them in perpetuity.

The goal of the NPT is important because every additional state that possesses nuclear weapons represents an additional set of possibilities for the use of nuclear weapons in conflict (bringing out a catastrophic situation owing to large-scale destruction), as well as additional possibilities and temptations for the acquisition of nuclear weapons by still further states and by terrorists. The five weapon-states, although powerful, cannot alone prevent the proliferation of nuclear weaponry. The NPT is thus vital to bring together all these nations for cooperative disarmament.

Nuclear proliferation going out of hand creates a fearful society, promotes poverty due to destruction under misused circumstances and creates conditions of unrest in less developed countries. Nuclear proliferation also puts countries that lack nuclear weaponry

in a lucid state of danger and panic. These states find themselves unprepared at stages of emergency or nuclear attack.

KEY-TERMS

1. ***Nuclear Proliferation***: The spread of nuclear weapons, nuclear weapon technology, or fissile material to countries that do not already possess them. The term is also used to refer to the possible acquisition of nuclear weapons by terrorist organizations or other armed groups.
2. ***Arsenal***: A collection of weapons and military equipment.
3. ***Disarmament***: The act of reducing, limiting, or abolishing weapons. Disarmament is often taken to mean total elimination of weapons of mass destruction, such as nuclear arms.
4. ***Civil Nuclear Energy***: Usage of nuclear energy in a productive and sustainable manner other than for weaponry. For example, Nuclear energy is an essential component of the French electricity system, about 71% of the electricity production is nuclear-based. Since nuclear energy is much more sustainable than fossil fuels and other greenhouse-producing resources, countries must promote effective usage of nuclear power and share its benefits globally. The benefits of civil nuclear energy include, following the best conditions for security, safety and non-proliferation, while respecting the environment.
5. ***Acquisition***: An asset or object bought or obtained.
6. ***NWS***: Nuclear Weapon State – State with nuclear weapon acquisition.
7. ***NNWS***: Non Nuclear Weapon States
8. ***Ballistic Missile***: Ballistic missiles are powered initially by a rocket or series of rockets in stages, but then follow an unpowered trajectory that arches upwards before descending to reach its intended target. Ballistic missiles can carry either nuclear or conventional warheads.
9. ***INF***: The 1987 Intermediate-Range Nuclear Forces (INF) Treaty required the United States and the Soviet Union to eliminate and permanently forswear all of

their nuclear and conventional ground-launched ballistic and cruise missiles with ranges of 500 to 5,500 kilometers.

AREAS OF CONCERN

1. Tension between States:

The perennial tension between nuclear weapon states and non-nuclear weapons states, has enabled the Treaty to be under severe strain for some time. The two most daunting challenges facing the NPT are disarmament and nonproliferation. Although nuclear weapons numbers have fallen sharply since the peak of Cold War numbers in the mid-1980s, many non-nuclear weapon states argue that disarmament is not occurring fast enough. Compounding these concerns is the deepening crisis of US-Russian arms control. In 2014, the United States accused Russia of violating the 1987 Intermediate-Range Nuclear Forces (INF) Treaty, which banned all ground-launched missiles with ranges between 500 and 5500 kilometers. After the two sides failed to resolve the disagreement, in 2019 the United States withdrew from the Treaty, and the INF ceased to exist. These tensions will undoubtedly have a significant impact on nonproliferation efforts.

2. Loopholes in the NPT:

Other challenges facing the NPT can be observed as an outgrowth of the Treaty's age, as well as ambiguity within some of the Treaty's provisions. The crafters of the NPT could not have predicted current global trends and as such were not able to draft a Treaty that could evolve with the times. Current interpretations of the Treaty have led to considerable challenges in NPT implementation. Moreover, there is a lack of adequate resources provided to the IAEA to ensure the verification and enforcement of the treaty. Their budget, personnel, and technological resources fail to successfully do so.

3. The Question of Modernization:

Nuclear Weapon States argue that warheads and delivery systems require regular maintenance to ensure safety and extend service life, and that they must spend money to maintain and upgrade nuclear weapons systems in order to ensure their effectiveness and

longevity. They claim that such maintenance does not constitute modernization, since they are not producing new weaponry designs. Non Nuclear Weapon States welcomed New START and other initiatives, but are anxious to see more concrete actions on reducing the role of nuclear weapons in national security doctrines, reducing alert levels, increasing transparency, and other steps. They have also expressed concern over the lack of progress in the field of nuclear disarmament and about the possible undermining of bilateral disarmament efforts through the NWS' modernization and life extension programs for their nuclear arsenals. Many NNWS believe that the development of new delivery systems and qualitative improvements to arsenals constitute modernization. To them, such upgrades suggest that the NWS have no intention of getting rid of their nuclear weapons in the foreseeable future.

4. Adoption of the Treaty:

The treaty defines nuclear-weapon states as those that have built and tested a nuclear explosive device before 1 January 1967; these are the United States (1945), Russia (1949), the United Kingdom (1952), France (1960), and China (1964). Four other states are known or believed to possess nuclear weapons: India, Pakistan, and North Korea have openly tested and declared that they possess nuclear weapons, while Israel is deliberately ambiguous regarding nuclear weapon status. Four UN member states have never accepted the NPT, three of which possess or are thought to possess nuclear weapons: India, Israel, and Pakistan. In addition, South Sudan, founded in 2011, has not joined.

5. Acquisition of nuclear weaponry by non-state actors.

It is feared non-state actors might obtain nuclear or other radioactive materials to commit crimes and terrorism. Because shielding fissile material used to make nuclear weapons is relatively easy, and radioactive materials are widely available for commercial usage. However, these nuclear terrorism threats are low probability events, and are unlikely to occur due to the relatively high security for nuclear weapons and most fissile material. But they are of very high consequence because of the massive destruction that would occur if a non-state actor could detonate one or more nuclear weapons or INDs on one or more cities.

PAST RESOLUTIONS:

It is very obvious that there is a heavy restriction placed upon the proliferation of nuclear weaponry by international legal frameworks, however, there is also an absence of an

explicit rule under the same that calls for its prohibition. Nonetheless, the international community has carried out considerable initiatives that have enabled us to move closer towards this goal.

1. As mentioned before, the Non Proliferation Treaty, is the core component of the global nonproliferation regime, and establishes a comprehensive, legally binding framework based on three principles: (1) states without nuclear weapons as of 1967—a year before the treaty opened for signature—agree not to acquire them; (2) the five states known to have tested nuclear weapons as of 1967—the nuclear weapon states (NWS)—agree to not assist other states in acquiring them and to move toward eventual disarmament; and (3) nothing shall inhibit the non-nuclear weapons states' (NNWS) access to civilian nuclear technology and energy development, so long as they do not pursue nuclear weapons. The International Atomic Energy Agency (IAEA) is the primary body that oversees its implementation.
2. Following the September 11 attacks, the UN Security Council (UNSC) passed Resolution 1540, a binding resolution urging that all UN members adopt and implement laws, including export restrictions, to stop nonstate actors from acquiring WMD. But many nations have asserted that the UNSC lacked the power to enforce a binding resolution in this matter. Some states have resisted working with the 1540 Committee, which was established to oversee the resolution's implementation, because of these reasons.
3. As of September 2014, 95 states had ratified the legally binding International Convention for the Suppression of Acts of Nuclear Terrorism, which defines nuclear terrorism and calls for international collaboration to prevent and punish such crimes. The Convention does not, however, receive the high-level political support that other initiatives to stop nuclear terrorism do.
4. Other multilateral, informal organizations also play a role in implementing and enforcing the NPT, notably the Nuclear Suppliers Group (NSG). Made up of forty-six states with advanced nuclear power programs, the NSG prohibits the transfer of civilian nuclear materials or technology to states outside the NPT, or those that do not fully comply with IAEA safeguards. However, the NSG's export bans are not legally binding, and members (including the United States, Russia, and China) have pursued civilian nuclear projects with non-NPT members.

5. On a global scale, Global Threat Reduction Initiative and the GICNT have been complemented by other multilateral schemes, such as the Group of Eight Global Partnership against the Spread of WMD, which has provided funding and technical assistance to secure nuclear facilities, repatriate fissile material to origin countries, and promote international cooperation to counter proliferation.

QUESTIONS TO BE CONSIDERED:

1. How must the international community address the lack of adherence of nation states to international laws?
2. Does the current treaty grant equality when it comes to possession of nuclear power?
3. What changes can be made to the treaty so as to render it free from subjective interpretation?
4. How must we address the increasing access of nuclear weaponry by non-state actors?

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