



NMUN • NY

SECURITY COUNCIL BACKGROUND GUIDE 2010



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NATIONAL MODEL UNITED NATIONS

28 March - 1 April 2010 - Sheraton
30 March - 3 April 2010 - Marriott

WRITTEN BY: Amanda D'Amico, Benjamin Oppermann

CONTACT THE NMUN

Please consult the FAQ section of www.nmun.org for answers to your questions. If you do not find a satisfactory answer you may also contact the individuals below for personal assistance. They may answer your question(s) or refer you to the best source for an answer.

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NMUN•NY 2010 Important Dates

IMPORTANT NOTICE: To make hotel reservations, you must use the forms at www.nmun.org and include a \$1,000 deposit. Discount rates are available until the room block is full or one month before the conference – whichever comes first. **PLEASE BOOK EARLY!**

31 January 2010	31 January 2010	<ul style="list-style-type: none"> • Confirm Attendance & Delegate Count. (Count may be changed up to 1 March) • Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)
15 February 2010	15 February 2010	<ul style="list-style-type: none"> • Committee Updates Posted to www.nmun.org
1 March 2010	1 March 2010	<ul style="list-style-type: none"> • Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Group Rates on hotel rooms are available on a first come, first served basis until sold out. Group rates, if still available, may not be honored after that date. See hotel reservation form for date final payment is due. • Any Changes to Delegate Numbers Must be Confirmed to: karen@nmun.org • Two Copies of Each Position Paper Due via E-mail (See Delegate Preparation Guide for instructions). • Preferred deadline for submission of Chair / Rapp applications to Committee Chairs
1 March 2010	1 March 2010	<ul style="list-style-type: none"> • All Conference Fees Due to NMUN for confirmed delegates. (\$125 per delegate if paid by 1 March; \$150 per delegate if received after 1 March. Fee is not refundable after this deadline.
NATIONAL MODEL UNITED NATIONS		<p>The 2010 National Model UN Conference</p> <ul style="list-style-type: none"> • 28 March - 1 April – Sheraton New York • 30 March - 3 April – New York Marriott Marquis

POSITION PAPER INSTRUCTIONS

Two copies of each position paper should be sent via e-mail by 1 MARCH 2010

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 1 March to the e-mail address listed for your particular venue. These e-mail addresses will be active when background guides are available. Delegates should carbon copy (cc:) themselves as confirmation of receipt. Please put committee and assignment in the subject line (Example: GAPLEN_Greece).

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments.

Note: This e-mail should only be used as a repository for position papers.

- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)

- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted.

Please put committee, assignment and delegation name in the subject line (Example: Cuba_U_of_ABC). If you have any questions, please contact the Director-General at dirgen@nmun.org.

www.nmun.org
for more information

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Committee for Development Policy	cdp.sheraton@nmun.org
Commission for Sustainable Development	csustd.sheraton@nmun.org
Commission on the Status of Women	csw.sheraton@nmun.org
Econ. Commission for Latin America & the Caribbean	eclac.sheraton@nmun.org
International Atomic Energy Agency	iaea.sheraton@nmun.org
Office of the UN High Commissioner for Refugees	unhcr.sheraton@nmun.org
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World Food Programme	wfp.sheraton@nmun.org
African Union	au.sheraton@nmun.org
Association of Southeast Asian Nations	asean.sheraton@nmun.org
North Atlantic Treaty Organization	nato.sheraton@nmun.org
Organisation of The Islamic Conference	oic.sheraton@nmun.org

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Security Council 2	sc2.marriott@nmun.org
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Committee for Development Policy	cdp.marriott@nmun.org
Commission for Sustainable Development	csustd.marriott@nmun.org
Commission on the Status of Women	csw.marriott@nmun.org
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United Nations Children's Fund	unicef.marriott@nmun.org
World Food Programme	wfp.marriott@nmun.org
African Union	au.marriott@nmun.org
Association of Southeast Asian Nations	asean.marriott@nmun.org
North Atlantic Treaty Organization	nato.marriott@nmun.org
Organisation of The Islamic Conference	oic.marriott@nmun.org

OTHER USEFUL CONTACTS

Entire Set of Delegation Position Papers	positionpapers.sheraton@nmun.org
(send only to e-mail for your assigned venue)	positionpapers.marriott@nmun.org
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Dear Delegates,

It is a great pleasure to welcome you to the Security Council of the 2010 National Model United Nations (NMUN). As you know, this year's Conference focuses on the theme of building a "Sustainable Peace." In this, of course, the Security Council plays a central role. As staff members, we look forward to facilitating discussions on this theme. This year, the Directors of the Security Council are: Amanda D'Amico, Brent Pearson, Benjamin Oppermann and Timur Topal-Gökçeli. Amanda, Director of Security Council A at the Sheraton venue, recently graduated from George Washington University with a Master of Arts in Political Science. This is her sixth NMUN-NY conference and her second year on staff. Director of Security Council B at the Sheraton venue, Brent recently graduated from Mercyhurst College with an M.S. degree in Applied Intelligence. He has a B.A. in International Studies from the University of Wisconsin Oshkosh and has professional experience in Market Research and NGO security. Benjamin is directing the Security Council A at the Marriott venue. Having a background in European Studies and International Relations, he is currently working at the Bulgarian Ministry of Foreign Affairs in Sofia, Bulgaria. This year is his fifth year at the Conference, his fourth as a Director. Finally, Timur, Director of Security Council B at the Marriott venue, graduated from the London School of Economics and Political Science. Having a background in International Relations and Economics, he currently works in Paris, France. This is his fourth year at the conference and third as staff.

This year's agenda items are:

- 1) Nuclear Disarmament & Non-Proliferation
- 2) The Security Situation in Afghanistan and Pakistan
- 3) Combating Maritime Piracy

The Security Council is the most influential body in the United Nations system. As such, you will be researching and writing resolutions on current security issues that have a direct impact on the international community. Keep this in mind while you research your topics and write your position papers.

This background guide will serve as a brief introduction to the three topics listed. Accordingly, it is not meant to be used as an all-inclusive analysis, but as the groundwork for your own analysis and research. To conduct your research, please consult scholarly materials, including journals, international news, and the United Nations website, amongst others. You will also need to familiarize yourself with the work and current operations of the Security Council.

Each delegation must submit a position paper. NMUN will accept position papers via e-mail by **1 March 2010** for both venues. Please refer to the message from your Director-General explaining the NMUN position paper requirements and restrictions. Delegates' adherence to these guidelines is crucial. NMUN can be one of the most rewarding academic experiences of your college career. We hope that this year's conference will not only intrigue you to participate again, but also that you find it as beneficial as we have. If you have any questions regarding preparation, please feel free to contact any of the Security Council substantive staff or the Under-Secretaries General for the Department of Peace and Security, Alex Cazal (Marriott) and Alistair Goddard (Sheraton).

Good luck in your preparation for the conference. We look forward to seeing you in March!

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Message from the Directors-General Regarding Position Papers for the 2010 NMUN Conference

At the 2010 NMUN New York Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in each committee impacts the way a position paper should be written. While most delegates will serve as representatives of Member States, some may also serve as observers, NGOs or judicial experts. To understand these fine differences, please refer to the Delegate Preparation Guide.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State should be identified and addressed. Making recommendations for action by your committee should also be considered. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference. NGO position papers should be constructed in the same fashion as traditional position papers. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

Please be forewarned, delegates must turn in material that is entirely original. ***The NMUN Conference will not tolerate the occurrence of plagiarism.*** In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim re-creation of these documents. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incident of plagiarism to the Secretariat as soon as possible.

Delegation's position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, however, delegations must have met the formal requirements listed below. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the Background Guides
- Length must **not** exceed two single spaced pages (one double sided paper, if printed)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Margins must be set at 1 inch for whole paper
- Country/NGO name, School name and committee name clearly labeled on the first page; the use of national symbols is highly discouraged
- Agenda topics clearly labeled in separate sections

To be considered timely for awards, please read and follow these directions:

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2009. Delegates should carbon copy (cc:) themselves as confirmation of receipt.
2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference

Each of the above listed tasks needs to be completed no later than **March 1, 2010 for Delegations attending the NMUN conference at either the Sheraton or the Marriott venue.**

**PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE,
ASSIGNMENT AND DELEGATION NAME (Example: AU_Namibia_University of Caprivi)**

A matrix of received papers will be posted online for delegations to check prior to the Conference. If you need to make other arrangements for submission, please contact Amanda Williams, Director-General, Sheraton venue, or Ronny Heintze, Director-General, Marriott venue at dirgen@nmun.org. There is an option for delegations to submit physical copies via regular mail if needed.

Once the formal requirements outlined above are met, Conference staff use the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.
- Citation of relevant resolutions/documents
- General consistency with bloc/geopolitical constraints
- Consistency with the constraints of the United Nations
- Analysis of issues, rather than reiteration of the Committee Background Guide
- Outline of (official) policy aims within the committee's mandate

Each delegation can submit a copy of their position paper to the permanent mission of the country being represented, along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparation for the mission briefing in New York.

Finally, please consider that over 2,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the Conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

Sincerely yours,

Sheraton Venue
Amanda Williams, LCSW
Director-General

amanda@nmun.org

Marriott Venue
Ronny Heintze
Director-General

ronny@nmun.org

Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. While delegates are encouraged to use the front and back of a single page in order to fully address all topics before the committee, please remember that only a *maximum* of one double-sided page (or two pages total in an electronic file) will be accepted. Only the first double-sided page of any submissions (or two pages of an electronic file) will be considered for awards.

Delegation from
Canada

Represented by
(Name of College)

Position Paper for General Assembly Plenary

The topics before the General Assembly Plenary are: Breaking the link between Diamonds and Armed Conflict; the Promotion of Alternative Sources of Energy; and the Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa. Canada is dedicated to collaborative multilateral approaches to ensuring protection and promotion of human security and advancement of sustainable development.

I. Breaking the link between Diamonds and Armed Conflict

Canada endorses the Kimberly Process in promoting accountability, transparency, and effective governmental regulation of trade in rough diamonds. We believe the Kimberly Process Certification Scheme (KPCS) is an essential international regulatory mechanism and encourage all Member States to contribute to market accountability by seeking membership, participation, and compliance with its mandate. Canada urges Member States to follow the recommendations of the 2007 Kimberley Process Communiqué to strengthen government oversight of rough diamond trading and manufacturing by developing domestic legal frameworks similar to the Extractive Industries Transparency Initiative. We call upon participating States to act in accordance with the KPCS's comprehensive and credible systems of peer review to monitor the continued implementation of the Kimberley Process and ensure full transparency and self-examination of domestic diamond industries. We draw attention to our domestic programs for diamond regulation including Implementing the Export and Import of Rough Diamonds Act and urge Member States to consider these programs in developing the type of domestic regulatory frameworks called for in A/RES/55/56. Canada recognizes the crucial role of non-governmental organizations (NGOs) in the review of rough diamond control measures developed through the Kimberly Process and encourages States to include NGOs, such as Global Witness and Partnership Africa Canada, in the review processes called for in A/RES/58/290. We urge Member States to act in accordance with A/RES/60/182 to optimize the beneficial development impact of artisanal and alluvial diamond miners by establishing a coordinating mechanism for financial and technical assistance through the Working Group of the Kimberly Process of Artisanal Alluvial Producers. Canada calls upon States and NGOs to provide basic educational material regarding diamond valuation and market prices for artisanal diggers, as recommended by the Diamond Development Initiative. Canada will continue to adhere to the 2007 Brussels Declaration on Internal Controls of Participants and is dedicated to ensuring accountability, transparency, and effective regulation of the rough diamond trade through the utilization of voluntary peer review systems and the promotion of increased measures of internal control within all diamond producing States.

II. The Promotion of Alternative Sources of Energy

Canada is dedicated to integrating alternative energy sources into climate change frameworks by diversifying the energy market while improving competitiveness in a sustainable economy, as exemplified through our Turning Corners Report and Project Green climate strategies. We view the international commitment to the promotion of alternative sources of energy called for in the Kyoto Protocol and the United Nations Framework Convention on Climate Control (UNFCCC) as a catalyst to sustainable development and emission reduction. Canada fulfills its obligations to Article 4 of the UNFCCC by continuing to provide development assistance through the Climate Change Development Fund and calls upon Member States to commit substantial financial and technical investment toward the transfer of sustainable energy technologies and clean energy mechanisms to developing States. We emphasize the need for Member States to follow the recommendations of the 2005 Beijing International Renewable

Energy Conference to strengthen domestic policy frameworks to promote clean energy technologies. Canada views dissemination of technology information called for in the 2007 Group of Eight Growth and Responsibility in the World Economy Declaration as a vital step in energy diversification from conventional energy generation. We call upon Member States to integrate clean electricity from renewable sources into their domestic energy sector by employing investment campaigns similar to our \$1.48 billion initiative ecoENERGY for Renewable Power. Canada encourages States to develop domestic policies of energy efficiency, utilizing regulatory and financing frameworks to accelerate the deployment of clean low-emitting technologies. We call upon Member States to provide knowledge-based advisory services for expanding access to energy in order to fulfill their commitments to Goal 1 of the Millennium Development Goals (MDGs). Canada urges States to address the concerns of the 2007 Human Development Report by promoting tax incentives, similar to the Capital Cost Allowances and Canadian Renewable and Conservation Expenses, to encourage private sector development of energy conservation and renewable energy projects. As a member of the Renewable Energy and Energy Efficiency Partnership, Canada is committed to accelerating the development of renewable energy projects, information sharing mechanisms, and energy efficient systems through the voluntary carbon offset system. We are dedicated to leading international efforts toward the development and sharing of best practices on clean energy technologies and highlight our release of the Renewable Energy Technologies Screen software for public and private stakeholders developing projects in energy efficiency, cogeneration, and renewable energy. Canada believes the integration of clean energy into State specific strategies called for in A/62/419/Add.9 will strengthen energy diversification, promote the use of cogeneration, and achieve a synergy between promoting alternative energy while allowing for competitiveness in a sustainable economy.

III. Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Canada views the full implementation of the treatment and prevention targets of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Especially in Africa, as essential to eradicating malaria and assisting African States to achieve Target 8 of Goal 6 of the MDGs by 2015. We recommend Member States cooperate with the World Health Organization to ensure transparency in the collection of statistical information for Indicators 21 and 22 of the MDGs. Canada reaffirms the targets of the Abuja Declaration Plan of Action stressing regional cooperation in the implementation, monitoring, and management of malaria prevention and treatment initiatives in Africa. To fully implement A/RES/61/228, Canada believes developed States must balance trade and intellectual property obligations with the humanitarian objective of the Doha Declaration on the TRIPS Agreement and Public Health. We continue to implement Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health into our compulsory licensing framework through the Jean Chrétien Pledge to Africa Act. We urge Member States to support compulsory licensing for essential generic medicines by including anti-malarial vaccines and initiating domestic provisions to permit export-only compulsory licenses to domestic pharmaceutical manufacturers, similar to Canada's Access to Medicines Regime. Canada calls upon Member States to establish advanced market commitments on the distribution of pneumococcal vaccines to developing States in cooperation with PATH and the Malaria Vaccine Initiative. We emphasize the need for greater membership in the Roll Back Malaria initiative to strengthen malaria control planning, funding, implementation, and evaluation by promoting increased investment in healthcare systems and greater incorporation of malaria control into all relevant multi-sector activities. Canada continues to implement the Canadian International Development Agency's (CIDA) New Agenda for Action on Health to reduce malaria infection rates among marginalized populations in Africa, increase routine immunizations rates, and reduce infection rates of other neglected infections. Canada will achieve the goal of doubling aid to Africa by 2008-2009 by providing assistance to the Global Fund to Fight Aids, Tuberculosis, and Malaria. We urge Member States to increase donations to intergovernmental organizations and NGOs that support malaria programming in Africa, exemplified by CIDA's contribution of \$26 million to the Canadian Red Cross. We continue our efforts to provide accessible and affordable vector control methods to African States through the Red Cross' Malaria Bed Net Campaign and the African Medical Research Foundation Canada by supplying insecticide-treated mosquito nets and Participatory Malaria Prevention and Treatment tool kits.

History of the Security Council

“We live in an era of unprecedented and rapid change. The world is facing new challenges of global nature: from armed conflict to terrorism, organized crime to migration, proliferation of weapons to the spread of infectious diseases, poverty and hunger to climate change. These threats know no boundaries; no country is immune from them. In the face of these challenges the world looks to the United Nations for leadership and vision: our common aspiration – to live in a more secure, just and prosperous world.”¹

Inception

After the horrific destructions and atrocities of the Second World War, the United Nations was founded in order to prevent any such tragedies for good.² One of the main shortcomings of the predecessor of the UN, the League of Nations, was the fact that it did not include a permanent body with the leading world powers at the time.³ Thus, it was decided that the five victors of the Second World War should be permanently represented in the Security Council, which would then serve as one of the central bodies of the new organization.⁴ Ever since its inception, the Council, as the only institution whose decisions are legally binding, served as an international forum for discussion and action on world security.⁵

Role and Function

The Security Council is one of the core bodies of the United Nations. The UN Charter, which created the UN in 1945, states in Article 24 that the Security Council holds “primary responsibility for the maintenance of international peace and security”.⁶ The main purpose of the Council is to analyze all threats to international security and to set up measures to counteract them.⁷ Over the course of its history, the issues which the Council addresses have significantly evolved, and now range from issues like terrorism to HIV/AIDS or the issue of blood diamonds.⁸ This is in part due to new security concerns of the 21st century. With the end of the Cold War and the entry in the age of globalization an entire new spectrum of threats had emerged.⁹

The main characteristic of the Council is the fact that, according to Article 25, its decisions are legally binding on all Member States.¹⁰ As stated under Chapter VI of the Charter, the “peaceful settlement of disputes” is one of the core responsibilities of the Council.¹¹ Upon the identification of a conflict or peril to international peace and security the Council should investigate and propose, “appropriate procedures or methods of adjustments” or recommend “terms of settlement as it may consider appropriate”.¹²

In order to give “effect to its decisions”, Chapter VII provides the Council with the authority to respond more severely against breaches of international peace and security.¹³ Upon having determined “the existence of any threat to the peace, break of the peace, or act of aggression” (Article 39) the Council can “call upon the parties concerned to comply with such provisional measures it deems necessary or desirable” (Article 40).¹⁴ The Council thus may

¹ Kerim, *The UN Reform: Achievements, Limits and Challenges*, 2008, p. 189.

² Gareis & Varwick, *The United Nations - An Introduction*, 2005, p. 5.

³ Gareis & Varwick, *The United Nations - An Introduction*, 2005, p. 5.

⁴ Gareis & Varwick, *The United Nations - An Introduction*, 2005, p. 5.

⁵ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 25.

⁶ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 24.

⁷ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 24.

⁸ United Nations Security Council, *Resolution 1820*, 2008; United Nations Security Council, *Resolution 1261*, 1999; United Nations Security Council, *Resolution 1308*, 2000.

⁹ Gareis & Varwick, *The United Nations - An Introduction*, 2005, p. 21.

¹⁰ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 25.

¹¹ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 33-38.

¹² United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 34, 36 & 37.

¹³ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 39-42.

¹⁴ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 39 & 40.

issue economic sanctions under Article 41.¹⁵ In the past, economic sanctions have included embargoes on diamonds, arms, luxury goods, and material related to the proliferation of nuclear weapons and the development of ballistic programs¹⁶. Article 42 of the Charter furthermore gives the Council the authority to use “air, sea, or land forces as may be necessary to maintain or restore international peace and security.”¹⁷

Naturally, the application of articles 41 and 42, to issue sanctions and to launch a military operation, are highly debated among Council members.¹⁸ Since in the past, economic sanctions have often proven to have a rather negative effect on the population rather than on the political leadership, the Council has focused on sanctioning the ruling elites by issuing travel bans or the freezing of financial assets abroad.¹⁹ When it comes to the use of force, the Council in the past has often been unable to reach an agreement, and thus has refrained from seizing a clear position. Two concrete examples of this failure to reach a position were the interventions in Kosovo of 1999 and in Iraq in 2003.²⁰ Due to the delicacy of forcefully intervening in an ongoing conflict, the Council in the past has proven to be much more likely to intervene prior to the severe outbreak of a conflict, namely by sending so-called “peacekeeping forces”.²¹ As former UN Secretary-General Dag Hammarskjöld described it, peacekeeping, which officially does not form an element of the UN Charter, could be described as the imaginary “Chapter VI ½” of the UN Charter.²² While the core idea behind peacekeeping is to serve as a confidence-building unit to monitor ceasefires with the consent of the belligerents, over the years the role of peacekeepers has extended to include humanitarian assistance, civilian policing, disarmament and the demobilization and reintegration of former combatants.²³

The Council is presided over by the president, an office that rotates monthly among the members of the Council according to the alphabetical order of the English alphabet.²⁴ Next to dealing with matters of international peace and security, according to Article 97 and Article 4 of the UN Charter, the Council also recommends to the consideration of the General Assembly candidates for the office of UN Secretary-General and the admission of new Members.²⁵

Membership and Voting

In 1965 the Council membership was increased from 11 to 15 members, five of these are called the “Permanent Five” or “P5”.²⁶ They all hold the power to block any substantive questions.²⁷ The Permanent Five are the People’s Republic of China, the Russian Federation, the United States of America, the Kingdom of Great Britain and Northern Ireland, and France.²⁸ The 10 non-permanent members are elected for a period of two years by a vote in the General Assembly and are not eligible for immediate re-election.²⁹ In order to ensure a global representation the 10 seats are allocated to different geographic regions: three for Africa, two for Asia, two for Latin America and the Caribbean, one for Eastern Europe, and two for West European and other Member States.³⁰ If the interests of a State which is not a Member of the Council “are specially affected” or if a State is “party to a dispute under consideration”, non-Members may be asked by the Council to participate in the meetings.³¹ Next to the PD the Council is currently comprised of the following members:³²

¹⁵ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 41.

¹⁶ United Nations, *Security Council Sanctions Committee: An overview*, n.d.

¹⁷ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 42.

¹⁸ Gareis & Warwick, *The United Nations - An Introduction*, 2005, p. 22.

¹⁹ United Nations, *Security Council Sanctions Committee: An overview*, n.d.

²⁰ Luck, *Un Security Council: Practice and Promise*, 2006, p.54-55.

²¹ United Nations, *United Nations Peacekeeping*, n.d.

²² United Nations, *United Nations Peacekeeping*, n.d.

²³ United Nations, *United Nations Peacekeeping*, n.d.; United Nations General-Secretary, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping (A/47/277 – S/24111)*, 1992.

²⁴ Fasulo, *An Insider’s Guide to the UN*, p. 41.

²⁵ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 4 & 97.

²⁶ United Nations General Assembly, *Charter of the United Nations*, 1945, Art 23., United Nations General Assembly, *Resolution 1991*, 1963

²⁷ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 27.

²⁸ United Nations General Assembly, *Charter of the United Nations*, 1945, Art 23.

²⁹ United Nations General Assembly, *Charter of the United Nations*, 1945, Art 23.

³⁰ Baehr & Gordenker, *The United Nations: Reality and Ideal*, 2005, p. 25.

³¹ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 31 & 32.

³² United Nations, *Membership of the Security Council*, n.d.

Austria	Croatia	Mexico	Viet Nam
Burkina Faso	Japan	Turkey	
Costa Rica	Libyan Arab Jamahiriya	Uganda	

In order to be able to immediately respond to threats to international security, the Council meets continuously.³³ Due to the increase in the areas of concern for the Council, since 1988 the number of meetings has increased three-fold and the number of resolutions two and a half folds to about 170 meetings and 50 resolutions per year.³⁴ The Council passes formal decisions in the form of resolutions numbered sequentially from Resolution 1, passed in 1946, to Resolutions numbering above 1800 today.³⁵ Both procedural and substantive votes are decided by nine affirmative votes, but substantive votes only pass if none of the P5 opposes the decision.³⁶

In order to complement its work and live up to its obligation under the Charter, the Council may “establish such subsidiary organs it deems necessary for the performance of its functions”.³⁷ Currently these are, among others, the International Criminal Tribunals for the Former Yugoslavia and Rwanda, and the Counter-Terrorism Committee.³⁸

Reform of the Security Council

Since the structure and working method of the Council have remained largely untouched since the foundation of the United Nations there has been a constant debate about the need for a Security Council reform.³⁹ There are three demands for a reform. The first is more effectiveness, which refers to the need for faster and all-encompassing decisions.⁴⁰ The second calls for more representation, which is connected to the demand that the membership should reflect more adequately the areas with the highest world populations which are currently under-represented in the Council, namely Africa and Latin America.⁴¹ The third demand is for more legitimacy, which refers to the need for a more democratic decision-making.⁴² In 1993, the UN General Assembly established the Open-ended Working Group (OEWG), which received the mandate to put forward proposals on the enlargement and reform of the Security Council.⁴³ Since then, a variety of proposals have been put forward.⁴⁴ Among them is the report by the High-Level Panel on Threats, Challenges and Change of 2004, which put forward two Models for Reform: Model A proposes six new permanent and three new non-permanent seats, all without veto power, Model B foresees no new permanent, but eight four-year renewable-term seats and one new non-permanent seat.⁴⁵ Despite a series of proposals, it has proved extremely difficult to find a solution acceptable to a majority, and therefore, until today, the old rules and procedures are still valid.

Conclusion

Despite its shortcomings, the Security Council remains the one of the centerpieces of the UN System and thus one of the most important international bodies. As such it serves as a core discussion forum for world peace and has thus

³³ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 28.

³⁴ Fasulo, *An Insider's Guide to the UN*, p. 43.

³⁵ United Nations, Security Council Resolution (S/RES/1): *Military Staff Committee*, 1946; Fasulo, *An Insider's Guide to the UN*, p. 43.

³⁶ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 27.

³⁷ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 29.

³⁸ United Nations, *UN Security Council: Structure*, n.d.

³⁹ Fassbender, *Pressure for Security Council Reform*, 2004, p. 345.

⁴⁰ United Nations, *A more secure world: Our shared responsibility. Report of the High-level Panel on Threats, Challenges and Change, 2004, Art.248.*

⁴¹ United Nations, *A more secure world: Our shared responsibility. Report of the High-level Panel on Threats, Challenges and Change, 2004, Art. 251*

⁴² Rittberger & Baumgärtner, *Reform des Weltsicherheitsrates (Reform of the Security Council)*, 2006, p. 48.

⁴³ Auswärtiges Amt (German Foreign Ministry), *Reform of the United Nations Security Council – the history*, 2008.

⁴⁴ Auswärtiges Amt (German Foreign Ministry), *Reform of the United Nations Security Council – the history*, 2008.

⁴⁵ United Nations, *A more secure world: Our shared responsibility. Report of the High-level Panel on Threats, Challenges and Change, 2004, Art. 251-255.*

fulfilled the role envisioned by its founding fathers.⁴⁶ While a reform is urgently needed, the present structure still permits Member States to work together and work for more peace and prosperity in the world. As outlined in Article I of the UN Charter, “to maintain international peace and security” remains the core task of the Council, and it is up to its members to live up to this ideal.⁴⁷

Must reads

Fischer, J. (1999). *Address by Joschka Fischer, Minister for Foreign Affairs of the Federal Republic of Germany, at the 54th Session of the United Nations General Assembly*. Retrieved August 27, 2009, from <http://www.auswaertiges-amt.de/diplo/en/Infoservice/Presse/Reden/Archiv/2000/990922-UNSessionPDF.pdf>
The intervention by the then German Foreign Minister Fischer is of relevance since he touched upon the issue of whether or not future permanent member of the Security Council should have the veto power or not. In general he linked the question to a sort of justification in front of the General Assembly. He proposed that each time a country uses its veto it would be obliged to justify its decisions in front of the General Assembly. While his idea did not get major support and was not realized, it serves as an interesting point of discussion for any future UN reform.

Auswärtiges Amt (German Foreign Ministry). (2008). *Reform of the United Nations: The History*. Retrieved August 26, 2009, from <http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/InternatOrgane/VereinteNationen/ReformVN/ReformSR-Vorgeschichte.html>
This webpage of the German Ministry of Foreign Affairs provides a very detailed overview of the history of UN reform. The webpage provides a brief yet detailed analysis of all the major proposals and developments. This page serves as a perfect introduction to the issue of UN reform for delegates.

United Nations. (2004). *A more secure world: Our shared responsibility. Report of the High-level Panel on Threats, Challenges and Change*. Retrieved August 26, 2009, from <http://www.un.org/secureworld/report.pdf>
This report is one of the key documents for UN reform. Among others it proposes two models, A and B, for a Security Council reform. In general it proposes a very detailed plan for a broad UN reform.

United Nations. (2005). *The 2005 World Summit: An Overview*. Retrieved August 27, 2009, from <http://www.un.org/ga/documents/overview2005summit.pdf>
The World Summit in 2005 came as a follow-up to the Millennium summit which launched the UN Millennium Development Goals. Widely seen as the largest gathering of international leaders in history, the Summit was of historic dimension. Not only did it deal with UN reform, it also the “responsibility to protect”, which can be seen as a step towards more humanitarian interventions. Furthermore, then Secretary-General Kofi Annan presented his “In Larger Freedom” Report.

United Nations Secretary-General. (2003). *Address to the General Assembly, New York, 23 September 2003*. Retrieved August 27, 2009, from <http://www.un.org/webcast/ga/58/statements/sg2eng030923.htm>
In his address to the General Assembly then Secretary-General Kofi Annan outlines why the UN Security Council must be reformed. In 2003 he set-up the High-Level Panel to work out a possible agenda for a reform. Later on this Panel put forward the two different models for reform, A and B. In principal the ideas and ideals put forward by Secretary-General Annan can be seen as a core for any future UN reform.

I. Nuclear Disarmament and Non-Proliferation

“Between nations armed with thousands of thermonuclear weapons – each one capable of causing unimaginable destruction – there can be no more cycles of both war and peace. There can only be peace.”⁴⁸

⁴⁶ Fasulo, *An Insider's Guide to the UN*, p. 37.

⁴⁷ United Nations General Assembly, *Charter of the United Nations*, 1945, Art. 1.

⁴⁸ Carter, J., *Speech to the United States Congress*, June 18, 1979.

Nuclear weapons as threat to international peace and security

The advent of nuclear weapons during the Second World War and the subsequent nuclear arms race of the Cold War faced the international community with a threat that it never experienced before: a scale of destruction beyond humankind's imagination.⁴⁹ The implications for international peace and security are thus colossal. In fact, the very nature of warfare was revolutionized by nuclear weapons.⁵⁰ The United Nations (UN), through the development of international law, has ever since tried to limit the sheer unstoppable arms race and hinder the boundless proliferation of nuclear weapons by actively pursuing international nuclear non-proliferation and disarmament.⁵¹

As such, the UN's major bodies have passed successive treaties and conventions, most famously the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).⁵² This development was spurred by important events such as the Cuban missile crisis in October 1962, which shaped the course of international politics and acted as constant reminder of the danger of nuclear warfare. In order to contravene humankind's ability to develop yet more destructive weapons, a number of States joined their forces to create what political scientists call the nuclear non-proliferation and disarmament regime.⁵³ As such, the Comprehensive Nuclear Test-Ban Treaty (CTBT) of 1996, the Fissile Material Cut-Off Treaty (FMCT) of 1998 and numerous joint initiatives by Member States form the bulk of this move towards limiting the spread of nuclear weapons.⁵⁴

History provides many examples of how States shunned the development of nuclear weapons, although the underlying issues for that are often more complex and reach further than the mere adherence to international standards. An example illustrating the success of the non-proliferation regime is Egypt, which signed the NPT after declaring that conform to Article IV of the Treaty it planned to "embark upon the construction of nuclear power reactors to meet increasing energy demand [...] while committing itself to the application of the safeguards system of the International Atomic Energy Agency (IAEA)".⁵⁵ As further important examples from the Middle East region feature Turkey and Saudi-Arabia, which at a time were considered aspiring to nuclear weapons, but ultimately ratified the NPT in 1980 and 1988, respectively.⁵⁶

However, in many instances the legal framework on nuclear disarmament and non-proliferation has not proven resilient enough to stop States from developing nuclear weapons, as shown by the cases of India, Israel, North Korea and Pakistan.⁵⁷ When assessing the application of these international efforts to curb the spread of nuclear weapons it is important to examine the underlying strategic motivations of States and geopolitical balance of power elements. These then lead to what is conceived as the inalienable right to defend the "national interest". In the international community, no organization has the right to enforce a standard if its application will contradict the "national interest" of a state. It is under these circumstances that States shift the foreign policy goals and accord priority to their ability to deter and even respond to a threat posed by another State or international actor.⁵⁸ Fighting nuclear proliferation will thus necessitate the underlying commitment of the entire community of States to forego this perception of international threat and thereby render the need for nuclear weapons superfluous.⁵⁹ The above-mentioned four States are said to have proven stocks of nuclear warheads, an information which serves as signal to the international community that nuclear disarmament for them takes secondary role after geopolitical considerations.⁶⁰ This is precisely where the work of the UN Security Council comes in as the UN's supreme organ.

⁴⁹ United Nations Office for Disarmament Affairs, *Nuclear weapons*.

⁵⁰ Coker, C., *Humane Warfare*, 2001, p. 54.

⁵¹ United Nations Office for Disarmament Affairs, *Nuclear weapons*.

⁵² United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

⁵³ Keohane, R., and Nye, J., *Power and Interdependence*, 1977, p. 43.

⁵⁴ United Nations Office for Disarmament Affairs, *Nuclear weapons*.

⁵⁵ United Nations Treaty Series, 1968, p. 492.

⁵⁶ United Nations Office for Disarmament Affairs, *Status of Multilateral Arms Regulation and Disarmament Agreements – NPT*, 2009.

⁵⁷ Lambers, W., *Nuclear Weapons*, 2006, Chapter 6.

⁵⁸ Cirincione, J., *Bomb Scare: The History and Future of Nuclear Weapons*, 2008, Chapter 4.

⁵⁹ Keohane, R., and Nye, J., *Power and Interdependence*, 1977, p. 62.

⁶⁰ Lambers, W., *Nuclear Weapons*, 2006, Chapter 6.

It is within the background of the growing threat of nuclear proliferation that the Council recognized and repeatedly stressed “the need for all Member States to fulfill their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction”.⁶¹ The Security Council thus adopted a series of important steps to make nuclear non-proliferation and disarmament a priority in order to secure its superior Charter obligation to maintain international peace and security.⁶² Amongst those, the establishment of the 1540 Committee in 2004 features most prominently.⁶³

The Security Council 1540 committee

The “proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security”⁶⁴: Unanimously adopting Resolution 1540 under Chapter VII of the UN Charter, the Security Council subsequently established in 2004 a Committee to pursue the implementation of the decisions set forward by the Resolution.⁶⁵

Resolution 1540 forces all States to take the appropriate measures to avoid the development of nuclear, chemical and biological weapons as well as the technology necessary for the use of such weapons and the management of material related to them.⁶⁶ In order to help foster international cooperation and promote “universal adherence to existing international non-proliferation treaties” the 1540 Committee presented its report to the Security Council in April 2006.⁶⁷ This report prompted the Security Council to extend the 1540 Committee’s mandate for two additional years by adopting Resolution 1673 on April 27, 2006, and scheduling the next report by the Committee for April 2008.⁶⁸ Recognizing the above stated goals as primary items on its agenda, the Security Council subsequently adopted Security Council Resolution 1810 (2008).⁶⁹

The very existence of the 1540 Committee and its continuation translate a true commitment by the Security Council to the joint issues of nuclear disarmament and non-proliferation.⁷⁰ In fact, the 1540 Committee’s work takes place within the existing efforts to strengthen the NPT Treaty and to make nuclear non-proliferation and disarmament a universal reality.⁷¹

When discussing the challenges faced by the UN and in particular the Security Council, it is indispensable to shed light on the background of the NPT Treaty and the subsequent efforts to strengthening and implementing it. In fact, the NPT Treaty is the key international treaty with regards to the present topic and has as its objective to prevent the spread of nuclear weapons and weapons technology and achieve nuclear disarmament as well as general and complete disarmament.⁷² The Treaty does not prevent the use of nuclear technology for civilian purposes and encourages co-operation in the peaceful uses of nuclear energy.⁷³

The NPT opened for signature in 1968 and entered into force on March 5, 1971.⁷⁴ As of 2002, 187 States – including the five nuclear-weapon States – are party to the Treaty and meet regularly for Treaty Review Conferences, aimed at strengthening implementation measures.⁷⁵ So far, the NPT represents the only legal

⁶¹ United Nations Security Council, *Note by the President of the Security Council S/23500*, January 31, 1992.

⁶² United Nations, *Charter of the United Nations Art 24*, 1945.

⁶³ United Nations Security Council, *Resolution 1540*, 2004.

⁶⁴ United Nations Security Council, *Resolution 1540*, 2004.

⁶⁵ United Nations Security Council, *Official Website of the Security Council’s 1540 Committee*, 2004.

⁶⁶ United Nations Security Council, *Official Website of the Security Council’s 1540 Committee*, 2004.

⁶⁷ United Nations Security Council, *Official Website of the Security Council’s 1540 Committee*, 2004.

⁶⁸ United Nations Security Council, *Resolution 1673*, 2006.

⁶⁹ United Nations Security Council, *Resolution 1810*, 2008. Also see United Nations, *Statement by the President of the Security Council S/PRST/2007/4*, February 23, 2007.

⁷⁰ United Nations Security Council, *Resolution 1540*, 2004.

⁷¹ United Nations Security Council, *Resolution 1540*, 2004.

⁷² United Nations, *Official Website of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2002.

⁷³ United Nations, *Official Website of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2002.

⁷⁴ United Nations, *Official Website of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2002.

⁷⁵ United Nations, *Official Website of the Preparatory Committee for the 2010 Nuclear Non-Proliferation Treaty Review Conference*, 2009.

instrument enforcing the general goal of disarmament onto nuclear weapon states. In that regard, it is also important to note that the NPT has been ratified by more countries “than any other arms limitation and disarmament agreement”, which acts as major demonstration of the Treaty's international significance.”⁷⁶

On the one hand, one might argue that the nuclear non-proliferation regime is respected by those that signed it, however, the universality of the Treaty still forms an element of desire rather than reflecting the reality.⁷⁷ History has proven that the number of states having nuclear weapons is rather increasing than decreasing.⁷⁸ This is why the Security Council consistently expresses deep concern on the Treaty's applicability and conformity and regularly reaffirms its commitment to the goal of total disarmament.⁷⁹

Problems and prospects for implementation: the core challenges faced

With regards to non-proliferation and disarmament, the NPT's disarmament clause features as an important focus point of the Security Council's efforts to increase the number of signatories and to increase the adherence to the NPT overall.

The main challenges faced by the NPT are the implementation of Clause VI and disarmament of nuclear States. Finally, encouraging universality of the non-proliferation and disarmament amongst non-signatory States remains a prime concern. (to be expanded) Although over the past 15 years considerable efforts in the reduction of nuclear arsenals of the five recognized nuclear powers were made, non-nuclear states party to the treaty are still doubtful of the effectiveness of Clause VI.⁸⁰ One of the arguments commonly admitted is the fact that non-nuclear countries did not hold nuclear powers accountable for their commitment to the Treaty because of the Cold War and didn't want to take the risk of antagonizing either Russia or the United States.⁸¹ In this regard, countries possessing nuclear weapons took for granted their right to possess nuclear weapons, as long as they were complying with the rules and regulations established by the Treaty.⁸² The illusion of that right was reinforced by the decision of the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1995 to extend the Treaty indefinitely, surpassing its original lifetime of 25 years.⁸³ According to many observers, this decision was interpreted as a new pass on a final and total disarmament as long as nuclear powers were complying with other dispositions of the treaty.⁸⁴

As former United States president Jimmy Carter notes, the worldwide arsenal of nuclear weapons still counts “almost 30,000 nuclear weapons now possessed by the United States, Russia, China, France, Israel, Britain, India, Pakistan, and perhaps North Korea”.⁸⁵ Although progress has been made in the realm of non-proliferation, it is important to note that at the 2005 NPT Review Conference Israel, India, Pakistan and North Korea did not take part, “the first three having nuclear arsenals that are advanced, and the fourth's being embryonic.”⁸⁶

The US decision to abandon the Anti-Ballistic Missile Treaty (ABMT) in December 2001 has further been criticized for frustrating the application of a consistent non-proliferation and disarmament policy.⁸⁷ Although the United States is one of the five countries allowed to maintain a nuclear arsenal under the NPT and one of the main promoters of the fight against the proliferation of weapons of mass-destruction, it still maintains a prudent approach

⁷⁶ United Nations, Official Website of the Preparatory Committee for the 2010 Nuclear Non-Proliferation Treaty Review Conference, 2009.

⁷⁷ Lambers, W., *Nuclear Weapons*, 2006, Chapter 6.

⁷⁸ Lambers, W., *Nuclear Weapons*, 2006, Chapter 6.

⁷⁹ United Nations Security Council, *Resolution 1887*, 2009.

⁸⁰ Wulf, Norman A., *Addressing the Challenges Facing the NPT*, 2008.

⁸¹ Wulf, Norman A., *Addressing the Challenges Facing the NPT*, 2008.

⁸² Wulf, Norman A., *Addressing the Challenges Facing the NPT*, 2008.

⁸³ Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Extension of the Treaty on the Non-Proliferation of Nuclear Weapons*, 1995.

⁸⁴ Wulf, Norman A., *Addressing the Challenges Facing the NPT*, 2008.

⁸⁵ Carter, J., *Undermining Peace*, Article in The Guardian, September 9, 2007.

⁸⁶ Carter, J., *Undermining Peace*, Article in The Guardian, September 9, 2007.

⁸⁷ BBC News, *America Withdraws from ABM Treaty*, 2001.

towards any firm commitment by opposing resolutions such as resolutions 63/58 and 63/46 regarding the UN's goal of achieving a "nuclear-free world" and nuclear disarmament.⁸⁸

Furthermore, Security Council Resolution 1540 acknowledges what has become one of the major security concerns for international peace and security: namely the possession of nuclear weapons by terrorists and other non-state actors.⁸⁹ In fact, the Statement by the President of the Security Council S/PRST/2006/56 of December 20, 2006 specifically addresses the threats to international peace and security which can potentially be caused by terrorist acts.⁹⁰

It is with increasing concern that the Security Council addresses the threat of the development, traffic and use of nuclear weapons by non-State actors of the international community in general and terrorist groups in particular through Security Council Resolutions 1267 and 1373.⁹¹

Meanwhile, the implementation of nuclear non-proliferation and disarmament requires an adherence and application of additional measures to strengthen the framework within which the proliferation of nuclear arms can be curbed.⁹² Thus, the UN Security Council has repeatedly stressed the "urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery".⁹³ Such additional measures include the promotion of "dialogue and cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery".⁹⁴

Acting under Chapter VII of the Charter of the UN, the Security Council declares in Article 1 of Resolution 1540 that "all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery".⁹⁵

North Korea and Iran: two of today's most pressing case studies

The Democratic People's Republic of North Korea and Iran are two cases where the international community has struggled to implement the nuclear disarmament and non-proliferation regime. Both are very distinct cases with historical and geographical backgrounds on their own but have been subject to intense debate at the UN Security Council and target of several rounds of sanctions.

North Korea is suspected to have been developing warheads for several types of ballistic missiles, of which the Nodong missiles are said to have been developed since "at least 1994".⁹⁶ In addition to that, it is "strongly suspected of having obtained nuclear weapon designs to fit on missiles from the Pakistani Abdul Qadeer Khan".⁹⁷

The issues involved in the North Korean case are both regional and global.⁹⁸ Firstly, one needs to consider the reality that North Korea remains technically at war with its southern neighbor, since a peace treaty has not yet been signed between the two after the 1950-1953 war.⁹⁹ Secondly, as a consequence, the border region between both States is one of the "most heavily militarized in the world", with North Korea being estimated to have a "million-strong army".¹⁰⁰ Thirdly, the Korean nuclear weapons case could act as a trigger for a possible arms race in East Asia, since the threat posed by a nuclear weapon-armed North Korea leads States such as South Korea, Japan or

⁸⁸ United Nations Office for Disarmament Affairs, *The United Nations Disarmament Yearbook:2008*, 2009.

⁸⁹ United Nations Security Council, *Resolution 1540*, 2004.

⁹⁰ United Nations Security Council, *Statement by the President of the Security Council S/PRST/2006/56*, December 20, 2006.

⁹¹ United Nations Security Council, *Resolution 1540*, 2004.

⁹² Lambers, W., *Nuclear Weapons*, Chapter 6, 2006.

⁹³ United Nations Security Council, *Resolution 1540*, 2004.

⁹⁴ United Nations Security Council, *Resolution 1540* art. 9., 2004.

⁹⁵ United Nations Security Council, *Resolution 1540* art. 1., 2004.

⁹⁶ Albright, D., *The North Korean Plutonium Stock*, February 2007, 2007.

⁹⁷ Albright, D., *The North Korean Plutonium Stock*, February 2007, 2007.

⁹⁸ BBC News, *Q&A: North Korea nuclear test*, 2009.

⁹⁹ BBC News, *Q&A: North Korea nuclear test*, 2009.

¹⁰⁰ BBC News, *Q&A: North Korea nuclear test*, 2009.

Taiwan to consider acquiring nuclear weapons themselves.¹⁰¹ Lastly, the nuclear tests have sparked again the debate in regional neighbor Japan to allow its military “the option of launching a pre-emptive strike” if the danger of a missile attack grows too much.¹⁰²

Unanimously adopting Resolution 1874 (2009) under Chapter VII, the Council sharpened its weapons import-export ban on North Korea, which was enacted in Resolution 1718 of 2006.¹⁰³

This decision of the Council involved three key elements: “provisions for the inspection of North Korean ships that may be carrying equipment related to weapons of mass destruction; a wider ban on North Korean arms imports and exports; and a range of steps to increase vigilance of Pyongyang’s overseas financial dealings”.¹⁰⁴

In the case of Iran, the country considers the mastery of nuclear technology as a decisive step in becoming a technologically advanced nation.¹⁰⁵ As some Middle East experts recently asserted, the nuclear program is inherent to the country’s self-perception as a modern power with a long tradition of independence both historical and cultural. Iran seems dedicated to develop its civil nuclear reactor and technology program to the point that it no longer depends on outside supply. As by today, Iranian president Mahmoud Ahmadinejad has repeatedly stressed his country’s continuous efforts to develop self-sustainable nuclear technology for civilian purposes exclusively.¹⁰⁶ Moreover, Iran is a signatory of the Nuclear Non-Proliferation Treaty (NPT), which it ratified on 1970 and Teheran repeatedly asserted that the right to enrich uranium was recognized under the NPT.¹⁰⁷ In fact, Articles I and II of that Treaty allow the signatory States to “develop research, production and the use of nuclear energy for peaceful purposes without discrimination.”¹⁰⁸ Although Iran is years away from producing enough fissile material (highly enriched uranium or plutonium) that it could possibly be used in nuclear weapons, its steady accrual of expertise in these fields is watched with great concern by the international community.¹⁰⁹

The importance of the Iranian issue is particularly reflected in its potential to redefine the balance of power in the Middle East. Many regional powers have expressed their concerns about Iran’s nuclear program.¹¹⁰ It remains uncertain how countries like Saudi-Arabia, Egypt, Jordan and Turkey would respond to a nuclear armed Iran.¹¹¹ Any crisis over Iranian proliferation could have a major impact on the evolving balance of power in the region.

Conclusions – The prospects for a nuclear weapon-free world

Each case study has a distinctive and characteristic historical background and sequence of lead events. What unites them, however are elements of motivation in acquiring nuclear weapons, and at the same time alienation by other Member States of the international community. Working together in order to overcome these obstacles represents an effort that reaches beyond the chapter of nuclear weapons.

While the exercise of understanding the motivations of States seeking nuclear technology are complex and multifaceted, they all do point to the conclusion that nuclear disarmament has become, and still is, one of today’s most pressing international issues. In fact, understanding the causes behind nuclear armament encompasses at the same time a wider and a deeper approach. The former takes into consideration geopolitical issues of balance of power, perceptions of State security, the reality of international arms trade, secretive deals and transfer of knowledge and information. As to the latter, it is the connection with the individual state’s domestic dynamics that hint to the topic of civilian use of nuclear technology: How thin has the line between civilian and military nuclear facilities become? Has the term “civilian use of nuclear technology” become a strategic misnomer in the 21st century? What are the

¹⁰¹ BBC News, *Q&A: North Korea nuclear test*, 2009.

¹⁰² BBC News, *Q&A: North Korea nuclear test*, 2009.

¹⁰³ United Nations Security Council, *Resolution 1847*, June 12, 2009.

¹⁰⁴ BBC, *Q&A North Korea nuclear test*, June 12, 2009.

¹⁰⁵ David, *Iran's Nuclear Program*, 2007.

¹⁰⁶ Ahmadinejad, *Iran's Nuclear Program*, 2006.

¹⁰⁷ BBC News, *Q&A: Iran and the nuclear issue*, 2009.

¹⁰⁸ United Nations Security Council, *Resolution 1696*, 2006; United Nations, *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

¹⁰⁹ Squasoni, *Iran's Nuclear Program*, 2003.

¹¹⁰ Cirincione, *Bomb Scare: The History and Future of Nuclear Weapons*, 2007.

¹¹¹ Cirincione, *Bomb Scare: The History and Future of Nuclear Weapons*, 2007.

alternatives proposed to States seeking nuclear energy? What prospects are there for nuclear energy to be integrated as an alternative source of energy in a post-2012, post-Kyoto Climate Change world?

More than half a century after the advent of the nuclear age, “is the world approaching a tipping point that will unleash an epidemic of nuclear proliferation?”¹¹² Such seems to be the worst-case scenario, which Security Council and the Community of the NPT signatory States are working to prevent. However, in order to succeed in that task, the right standards ought to be set by the key actors impacting the pursuit of a consistent policy at the international level. “Nuclear powers must show leadership, by restraining themselves and by curtailing further departures from the NPT’s international restraints. One-by-one, the choices they make today will create a legacy - deadly or peaceful - for the future”.¹¹³

Must Reads

United Nations. (2002). *Official Website of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*. Retrieved July 23, 2009, from <http://www.un.org/Depts/dda/WMD/treaty/>
This is the link to the official website of the Treaty on the Non-Proliferation of Nuclear Weapons. It is particularly useful for delegates to read the full Treaty text, especially given the importance of this specific Treaty. Moreover, they will find all relevant information on the origins and developments around the Treaty, including links to the latest NPT Review Conference websites.

United Nations (2004). *Security Council Resolution 1540*. Retrieved July 21, 2009, from http://www.un.org/Docs/sc/unsc_resolutions04.html
This is the link to all UN Security Council Resolutions of 2004, of which Resolution 1540 is of crucial relevance to the topic of nuclear disarmament and non-proliferation. Acting under Chapter VII of the UN Charter, the Security Council decides in this resolution certain key points which delegates ought to rise during the Conference. Above all, the defining tone of the Resolution is the urgent need to strengthen action on all lines for States to adhere to binding legal obligations which arise under the nuclear non-proliferation treaties. This, in turn, is indispensable for the furthering of the nuclear disarmament and non-proliferation regime.

United Nations. (1968). *Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved July 19, 2009, from <http://www.un.org/events/npt2005/npttreaty.html>
The Nuclear Non-Proliferation Treaty (NPT) is one of the bedrock Treaties in the domain of nuclear disarmament. The NPT plays a crucial role in indicating the weaknesses of the implementation of the non-proliferation regime. This document will be essential for the delegates to understand the international arrangements that are in force.

II. The Security Situation in Afghanistan and Pakistan

“Whether it is counter-terrorism, electoral security, counter-narcotics, or control of factional fighting, at this critical juncture for the Afghan peace process, international security assistance continues to make the difference between success and failure.”¹¹⁴

The Islamic Republic of Afghanistan has been the site of instability and uncertainty for decades.¹¹⁵ Foreign interference, civil wars, and weak central governance have plagued the country and have resulted in persistent volatility.¹¹⁶ The current situation in Afghanistan was spurred by the actions of the Taliban, a group of Islamic fundamentalists who subscribe to an interpretation of Islam based upon Deobandism, and that violently seized control of the Afghan government in 1996.¹¹⁷ The Taliban’s repeated refusal to expel Usama Bin Laden, the leader

¹¹² Campbell, *The Nuclear Tipping Point: Why States Reconsider Their Nuclear Choices*, 2004.

¹¹³ Carter, J., *Undermining Peace*, Article in *The Guardian*, September 9, 2007.

¹¹⁴ Arnault, *Briefing by Mr. Jean Arnault SRS for Afghanistan to the UN Security Council on the situation in Afghanistan*, 2004.

¹¹⁵ *Timeline: Afghanistan*, 2009.

¹¹⁶ *Afghanistan’s Turbulent History*, 2008.

¹¹⁷ *Afghanistan’s Turbulent History*, 2008.

of Al Qaida, a terrorist organization, in 1998 and again in the wake of the terrorist attacks of September 11, 2001 resulted in the removal of the regime from power in November 2001 by the United States and coalition forces.¹¹⁸ This military operation was sanctioned by Security Council Resolution 1373 (2001), a broad-reaching resolution which sought to significantly diminish the capacity of terrorist organizations by dismantling monetary networks and eliminating safe-havens.¹¹⁹

The conflict quickly spilled into neighboring Pakistan, due in large part to the nature of the Afghan-Pakistan border.¹²⁰ The border, known as the Durand Line, stretches 1,640 miles through very remote, mountainous territory.¹²¹ While there are two established crossings, Torkham and Chaman, some 340 illegal and unguarded border crossings, in addition to hundreds of foot and goat paths are more often-traveled.¹²² In 2001, it became clear that the Durand Line had provided an escape to many of the extremists who coalition forces sought to capture in Afghanistan; the leadership of the Taliban regime crossed this border and established operations in Pakistan in an effort to re-establish control of Afghanistan.¹²³

The Current Threat

The security situation in Afghanistan and Pakistan has deteriorated since international forces moved into the region in 2001.¹²⁴ The number of suicide attacks in Afghanistan has increased significantly from one in 2002 to two in 2003, six in 2004, 21 in 2005, 139 in 2006, and 140 in 2007.¹²⁵ In addition, “remotely detonated bombings more than doubled from 783 to 1,677, and armed attacks nearly tripled from 1,557 to 4,542” in 2007.¹²⁶ This surge in insurgent attacks resulted in nearly 300 foreign military casualties in 2008.¹²⁷ This violence has caused an increase in the number of Afghan and Pakistani refugees and internally displaced peoples.¹²⁸

These attacks have not occurred uniformly throughout Afghanistan; violence has been consistently more prevalent in the southern and eastern parts of the country because of the porous nature of the Durand Line, Kabul’s inability to effectively govern the area, and the location of the Taliban’s traditional homeland.¹²⁹ The Helmand province in Afghanistan, with its easy passage into the Chaghai province of Pakistan, has become a Taliban stronghold.¹³⁰ Bordering Helmand, the Kandahar province of Afghanistan has seen a significant amount of violence, as this province is the origin of the Taliban and therefore is of high value to the group.¹³¹ Zabul, Afghanistan, which lies northeast of Kandahar, has seen such extreme Taliban activity that members of the government, non-governmental organizations, and the media have been forced to avoid traveling within it.¹³²

¹¹⁸ *Timeline: Afghanistan, 2009*; United Nations Security Council, *Resolution 1333*, 2000; United Nations Security Council, *Resolution 1267*, 1999.

¹¹⁹ United Nations Security Council, *Resolution 1373*, 2001.

¹²⁰ Johnson & Mason, *No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier*, 2008, p.42.

¹²¹ Fair, *The educated militants of Pakistan: Implications for Pakistan’s domestic security*, 2008, p.93; Johnson & Mason, *No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier*, 2008, p.42.

¹²² Johnson & Mason, *No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier*, 2008, p.44.

¹²³ Jones, *The rise of Afghanistan’s insurgency: State failure and jihad*, 2008, p.30; McNamara, *The Taliban in Afghanistan: As the Taliban resurfaces, find out more about them*, 2006.

¹²⁴ Jones, *The rise of Afghanistan’s insurgency: State failure and jihad*, 2008, p.9; Jones, *U.S. Strategy in Afghanistan*, 2009, p.2.

¹²⁵ Jones, *The rise of Afghanistan’s insurgency: State failure and jihad*, 2008, p.36.

¹²⁶ Jones, *The rise of Afghanistan’s insurgency: State failure and jihad*, 2008, p.8.

¹²⁷ Mullen, *Afghanistan in 2008: State building at the precipice*, 2009, p.32.

¹²⁸ *Swat diary: “We fled our village,”* 2009.

¹²⁹ United Nations Security Council, *The situation in Afghanistan and its implications for international peace and security (S/2008/617)*, 2008, p. 5; United Nations Security Council, *The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General (S/2009/323)*, 2009, p. 4.; International Crisis Working Group, *Pakistan: The militant jihadi challenge*, 2009, p.i; *The Afghan-Pakistan Militant Nexus*, 2009; International Council on Security and Development, *Struggle for Kabul: The Taliban advance*, 2008, p.7; *Afghanistan’s Turbulent History*, 2008.

¹³⁰ *The Afghan-Pakistan Militant Nexus*, 2009.

¹³¹ *The Afghan-Pakistan Militant Nexus*, 2009.

¹³² *The Afghan-Pakistan Militant Nexus*, 2009.

On the Pakistani side of the Durand Line, the Taliban fled to Quetta, Peshawar, and Karachi immediately following the 2001 invasion.¹³³ Taliban forces currently utilize the provinces of Kurram, Orakzai, and Kyber, all within Pakistan's Federally Administered Tribal Areas (FATA), to put direct pressure on Kabul, which is only 56 miles away.¹³⁴ Usama Bin Laden and other Al Qaida officials are rumored to be hiding in Pakistan's Bajaur region, also located within the FATA.¹³⁵ Tribal regions in both Afghanistan and Pakistan, such as the FATA, have become increasingly radicalized and violent; the FATA suffers from one of the strongest presence of Taliban fighters.¹³⁶ Moreover, sections of Pakistan's Northwest Frontier Province, specifically Swat, have been overrun with fighting between militants and Pakistani forces.¹³⁷ In an effort to placate extreme Islamic elements within the Swat region and decrease hostilities, Pakistan imposed Sharia, or Islamic law, in that area in April 2009; the imposition of Sharia, however, did little to deter militants in this region.¹³⁸

It is important to note, however, that the Taliban and Al Qaida are not the only actors in Afghanistan and Pakistan; insurgent groups, including the Taliban, Al Qaida, Sipah-e-Sahaba Pakistan, Lashkar-e-Jhangvi, Jaish-e-Mohammed, and Lashkar-e-Tayyaba, criminals, local tribes, and warlords have all played a role in the surge of violence.¹³⁹ Members of the Afghan and Pakistani government have even been accused of having a hand in the violence; U.S. officials have concluded, based upon intercepted communications, that the July 7, 2008 attack in Kabul, killing 50 people, was supported by officials in the Inter-Service Intelligence, Pakistan's leading intelligence agency.¹⁴⁰ This, in addition to the Pakistani government's previous support for the Taliban, has made some question Pakistan's level of commitment to the counterinsurgency.¹⁴¹ Clearly, the political environment of both Afghanistan and Pakistan significantly affects the security situation in the region.

The Political Situation in Afghanistan

The overthrow of the Taliban in 2001 was followed by the establishment of an interim Afghan government authorized by The Bonn Agreement, on December 5, 2001.¹⁴² This government, however, was only able to maintain consistent control over Kabul; it had little influence in rural areas of the country.¹⁴³ Hamid Karzai, selected Chairman of the Afghan Interim Administration and later elected as President of Afghanistan, has noted the traditional lack of government authority in Afghanistan and its impediment to future good governance.¹⁴⁴ Afghan governments have historically maintained very limited control of outlying provinces and are unable to provide basic services to the Afghan people.¹⁴⁵

According to Transparency International, "corruption is now a deep rooted malice" in Afghanistan.¹⁴⁶ The country was ranked within the 10 most corrupt countries in its *Global Corruption Report 2008*. The average Afghan household pays \$100 in bribes each year, which is a high expenditure considering 70% of Afghans survive on less than \$1 a day.¹⁴⁷ Corruption is also alleged to have affected the national elections held on August 20, 2009.¹⁴⁸

¹³³ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.30.

¹³⁴ *The Afghan-Pakistan Militant Nexus*, 2009.

¹³⁵ *The Afghan-Pakistan Militant Nexus*, 2009.

¹³⁶ *Why unity is vital for Pakistan survival*, 2009; *Taliban growing in strength*, 2009.

¹³⁷ *Swat diary: "We fled our village,"* 2009.

¹³⁸ International Crisis Working Group, *Pakistan: The militant jihadi challenge*, 2009, p.ii; *The Afghan-Pakistan Militant Nexus*, 2009.

¹³⁹ Jones, *U.S. Strategy in Afghanistan*, 2009, p.2.

¹⁴⁰ Mullen, *Afghanistan in 2008: State building at the precipice*, 2009, p.30; Mazzetti & Schmitt, *Pakistanis Aided Attack in Kabul, U.S. Officials Say*, 2008.

¹⁴¹ *Q&A: Pakistan's Swat offensive*, 2009.

¹⁴² *Timeline: Afghanistan*, 2009.

¹⁴³ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.20.

¹⁴⁴ *Timeline: Afghanistan*, 2009; United Nations Security Council, *Report of the Security Council mission to Afghanistan*, 2008.

¹⁴⁵ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.3; Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.21; *Timeline: Afghanistan*, 2009.

¹⁴⁶ Transparency International, *Global corruption report 2008: Corruption in the water sector*, 2008.

¹⁴⁷ Mullen, *Afghanistan in 2008: State building at the precipice*, 2009, p.35; Transparency International, *Global corruption report 2008: Corruption in the water sector*, 2008, p. 302; United Nations Security Council, *Report of the Security Council mission to Afghanistan, 21 to 28 November 2008 (S/2008/782)*, 2008, p.5.

¹⁴⁸ *Afghan election fraud probe grows*, 2009.

While over 2,000 complaints of fraud and intimidation were filed, over 500 were considered serious; most seriously, Abdullah Abdullah, a candidate for the Afghan presidency, has charged that this fraud was state-crafted.¹⁴⁹

According to some observers, Afghanistan's problems stem far deeper than limited reach and corruption; throughout its history, the Afghan government has rarely claimed a "monopoly of the legitimate use of physical force within a given territory."¹⁵⁰ As noted by Zahir Tanin, Ambassador of Afghanistan to the United Nations and echoed within the Report of the Security Council mission to Afghanistan (S/2007/782), a perpetually weak government, as in Afghanistan, is a permissive condition of an insurgency, which is defined as "a political-military campaign by non-state actors who seek to overthrow a government or secede from a country through the use of unconventional—and sometimes conventional—military strategies and tactics."¹⁵¹

The Political Situation in Pakistan

Western social scientists have labeled Pakistan as "a persistently failing State," which is defined as a State that "exhibits many of the features of a failed State" but avoids collapse.¹⁵² Like Afghanistan, its history is riddled with violent regime change.¹⁵³ In 1999, General Pervez Musharraf utilized his position in the military to seize power during the third military coup d'état since Pakistan's founding.¹⁵⁴ Throughout his tenure in power, Musharraf attempted to awkwardly balance a friendly relationship with the United States and his complicity with the existence of extreme Islamist groups in remote provinces near the Afghan-Pakistani border.¹⁵⁵

Musharraf publically aligned himself with the "War on Terror," but he repeatedly failed to actually root out terrorists within Pakistan.¹⁵⁶ This alignment, however superficial, became a rallying point for his critics; Musharraf's close ties to the United States, in addition to his unpopular domestic policies, led to his forced resignation.¹⁵⁷ The Pakistani People's Party (PPP), in September 2008, successfully won the presidency.¹⁵⁸ This victory, however, was negated as the coalition the PPP depended upon for control of the parliament fell apart.¹⁵⁹ The Pakistani Muslim League (PML-N) withdrew from the PPP-led coalition due to the PPP's continuance of Musharraf-era policies.¹⁶⁰

Despite the PPP's difficulties in creating a stable coalition government, it has recently sought to expand the reach of the government. The limited presence of the Pakistani political system in rural territories directly contributed to the increased strength of Taliban.¹⁶¹ In an effort to weaken militants' stronghold, in August 2009, Pakistan increased its political presence in outlying provinces, most notably in the FATA.¹⁶² This, in conjunction with increased military activity, is hoped to diminish the strength of extremist organizations in these regions; yet, the Taliban still hold power within this area. The Taliban's Ministry of Virtue and Vice regularly enforces an extreme set of Islamic standards, prevents students from attending school, forcibly recruits young men for their ranks, and compels the closure of unsavory businesses.¹⁶³ For this reason, some international observers still argue that, like the Afghan government, the Pakistani government has been unable to create and implement policies and programs that

¹⁴⁹ Afghan election fraud probe grows, 2009.

¹⁵⁰ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.16; *Afghanistan's Turbulent History*, 2008.

¹⁵¹ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.8-9; Tanin, *Dealing with crises in Afghanistan and Pakistan*, 2009; United Nations Security Council, *Report of the Security Council mission to Afghanistan, 21 to 28 November 2008 (S/2008/782)*, 2008, p.5.

¹⁵² Gregory & Fair, *The cohesion and stability of Pakistan: An introduction to the special issue*, 2008, p.3.

¹⁵³ *Timeline: Pakistan*, 2009.

¹⁵⁴ Gregory & Reville, *The role of the military in the stability and cohesion of Pakistan*, 2008, p.39; *Timeline: Pakistan*, 2009.

¹⁵⁵ Fair, *The educated militants of Pakistan: Implications for Pakistan's domestic security*, 2008, p.94.

¹⁵⁶ Fair, *The educated militants of Pakistan: Implications for Pakistan's domestic security*, 2008, p.94.

¹⁵⁷ Nelson, *Pakistan in 2008: Moving beyond Musharraf*, 2009, p.17.

¹⁵⁸ *Timeline: Pakistan*, 2009.

¹⁵⁹ Nelson, *Pakistan in 2008: Moving beyond Musharraf*, 2009, p.17.

¹⁶⁰ Nelson, *Pakistan in 2008: Moving beyond Musharraf*, 2009, p.17.

¹⁶¹ Cohen & Chollet, *When \$10 billion is not enough: Rethinking U.S. strategy towards Pakistan*, 2007, p.7; *Pakistan to reform tribal areas*, 2009.

¹⁶² *Pakistan to reform tribal areas*, 2009.

¹⁶³ McNamara, *The Taliban in Afghanistan: As the Taliban resurfaces, find out more about them*, 2006; Bennett-Jones, O., *Tide turns against the Taliban*, 2009; Khan, *Pakistan dancing girls fear Taleban*, 2007.

effectively limit extremist organizations “and the risk they pose to Pakistan, the region, and the international community.”¹⁶⁴

The International Community's Response

The international community has struggled to cope with these developments. On December 20, 2001, the Security Council established the International Security Assistance Force (ISAF) by Security Council Resolution 1386; ISAF was put under the command of the North Atlantic Treaty Organization in August of 2003.¹⁶⁵ ISAF's role is to provide security to “Kabul and its surrounding areas,” in order to allow for the operation of the Afghan government and UN personnel.¹⁶⁶ The coalition force's mandate has been extended by the Security Council on several occasions.¹⁶⁷ As of June 2009, 42 countries contribute 61,130 personnel to ISAF.¹⁶⁸ In January 2009, the US, currently ISAF's largest contributor with 28,850 troops, committed to place an additional 21,000 troops under ISAF's command. In addition to ISAF, US forces, under the mandate of Operation Enduring Freedom, and the Afghan and Pakistani armies and police forces, currently work to diminish the capacity of extremist organizations.¹⁶⁹

Military operations are not limited to Afghanistan; both the US and Pakistani armies have begun operations across the Durand Line.¹⁷⁰ While the fighting is primarily focused within rural areas in Pakistan, including, most notably, the Northwest Frontier Province (NWFP), it has also spread to settled areas of Pakistan.¹⁷¹ While the Pakistani government originally sought to root out senior members of the Afghan Taliban who were utilizing Pakistan as a base of Afghan operations, they now face nearly 20,000 members of Tehrik Taliban Pakistan, also referred to as the Pakistani Taliban, a loosely knit organization which seeks to change the political nature of Pakistan and install Sharia law.¹⁷²

Some analysts argue that the growth of the Taliban's operations may be due, in part, to widespread outrage over the high number of civilian casualties, caused both by Pakistani and US operations in the region.¹⁷³ The Taliban on both sides of the Durand Line have promised to increase peace and stability within the areas they occupy.¹⁷⁴ These promises, however, have gone unfilled, as the Taliban have begun terrorizing citizens within the occupied territories.¹⁷⁵ This has recently resulted in a shift in public opinion; areas which previously acquiesced to Taliban and insurgent influence have now “had enough.”¹⁷⁶ These areas now perceive military operations to eradicate extremists as beneficial.¹⁷⁷

In addition to these military commitments, Member States of the United Nations have also committed to support the development of the Afghan government through the United Nations Assistance Mission in Afghanistan (UNAMA), which coordinates international aid efforts.¹⁷⁸ Established by Security Council Resolution 1401, UNAMA works to aid ISAF, improve Afghan governance, increase recognition and institution of human rights, and monitor the electoral process.¹⁷⁹ UNAMA's efforts, in conjunction with those of ISAF and Operation Enduring Freedom, are becoming increasingly important, as Afghanistan works to consolidate its democracy.¹⁸⁰ UNAMA has appealed to the international community for support in its humanitarian efforts, specifically in the delivery of food aid, has

¹⁶⁴ Gregory & Revill, *The role of the military in the stability and cohesion of Pakistan*, 2008, p.40; Gregory & Fair, *The cohesion and stability of Pakistan: An introduction to the special issue*, 2008, p.9.

¹⁶⁵ United Nations Security Council, *Resolution 1386 (2001)*, 2001; *Q&A: ISAF troops in Afghanistan*, 2009.

¹⁶⁶ United Nations Security Council, *Resolution 1386 (2001)*, 2001.

¹⁶⁷ International Security Assistance Force, *ISAF Mandate*, 2009.

¹⁶⁸ *Q&A: ISAF troops in Afghanistan*, 2009.

¹⁶⁹ U.S. Department of Defense, *Fact Sheet*, 2002; *Q&A: ISAF troops in Afghanistan*, 2009.

¹⁷⁰ *Q&A: Pakistan's Swat offensive*, 2009.

¹⁷¹ *Q&A: Pakistan's Swat offensive*, 2009.

¹⁷² *Q&A: Pakistan's Swat offensive*, 2009.

¹⁷³ *Q&A: Pakistan's Swat offensive*, 2009.

¹⁷⁴ *Q&A: Pakistan's Swat offensive*, 2009.

¹⁷⁵ *Swat diary: "We fled our village,"* 2009.

¹⁷⁶ Bennett-Jones, O., *Tide turns against the Taliban*, 2009.

¹⁷⁷ Bennett-Jones, O., *Tide turns against the Taliban*, 2009.

¹⁷⁸ United Nations Assistance Mission in Afghanistan, *Background*, 2009.

¹⁷⁹ United Nations Assistance Mission in Afghanistan, *Background*, 2009; United Nations Assistance Mission in Afghanistan, *Mandate*, 2009.

¹⁸⁰ *Afghanistan struck by twin blasts*, 2009.

worked to removed landmines from the country through the United Nations-managed Mine Action Centre for Afghanistan, and, through the help of public awareness campaigns, overseen a decrease in the Afghan opium production.¹⁸¹

Considerations for the Future

The situation in Afghanistan and Pakistan is complex, violent, and urgent. The instability of the Pakistani government, coupled with the increase in extremism along Pakistan's western border and its nuclear capabilities, has clear ramifications for the international community at-large.¹⁸² Afghanistan's stability is also imperative; while most Afghans favor a "unified, multi-ethnic" State, achieving such a State will require constructive efforts by all members of the international community.¹⁸³ It is the responsibility of the UN Security Council to lead and encourage such efforts.

The path which the Security Council, and the United Nations more broadly, chooses to follow is in question. Possible paths include staying the course and expanding upon the aforementioned operations, or altering the ISAF's and UNAMA's priorities, either by changing military strategy, by refocusing civilian efforts, or by transforming the nature of the Afghan government. Forces from the United Kingdom recently began negotiating with less ideological members of the Taliban, in an effort to persuade them to rejoin regular civilian life.¹⁸⁴ The United Kingdom has also suggested that the most effective way to combat the insurgency is to combat poverty; the country donated £50,000,000 in an effort to improve infrastructure and create jobs in March 2009.¹⁸⁵ Others suggest that the violence in Afghanistan is not caused by the insurgency or a lack of infrastructure or opportunity; it is caused by the attempted enlargement of the central government and the weakening of the leaders of rural provinces.¹⁸⁶ These scholars suggest that decreasing the reach of the central government and increasing the power of rural tribal leaders will be effective in reducing the violence in Afghanistan.¹⁸⁷

As the most powerful organ of the United Nations system, the Security Council must act to address the security situation in the region. Which strategy is best? Recognizing the proposed increase in foreign troops in the region, how can this body provide support to those Member States who are currently involved militarily in the region? How can UNAMA's mission be supported and shaped to further benefit Afghanistan? How can the security situation in Pakistan be addressed without impinging on its sovereignty?

Must Reads

The Afghan-Pakistan militant nexus. (2009, June 22). Retrieved July 21, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/7601748.stm.

This Web site gives up-to-date information on the security situation in Afghanistan and Pakistan. It provides an in-depth analysis of each province concerned and the groups in power. This Web site is instrumental in understanding the current situation in the region.

Gregory, S., & Revill, J. (2008, March). The role of military in the cohesion and stability of Pakistan. *Contemporary South Asia*, 16(1), 39-61. Retrieved July 20, 2009, from EBSCOhost Academic Search Premier database.

Gregory and Revill discuss the successive regimes in Pakistan, focusing on continued military intervention in domestic politics. They closely examine the regime of General Pervez Musharraf's. Gregory and Revill conclude that while military regimes have been favored allies by Western states, these regimes have continually resulted in domestic instability and unrest.

¹⁸¹ United Nations Security Council, *The situation in Afghanistan and its implications for international peace and security (S/2008/617)*, 2008, p. 5

¹⁸² *Why unity is vital for Pakistan survival*, 2009.

¹⁸³ Jones, *The rise of Afghanistan's insurgency: State failure and jihad*, 2008, p.10-12.

¹⁸⁴ Townsend & Hinsliff, *Gordon Brown in new Afghan plan: Talk to the Taliban*, 2009.

¹⁸⁵ *UK sends £50m more to Afghanistan*, 2009.

¹⁸⁶ *No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier*, 2008.

¹⁸⁷ *No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier*, 2008.

Jones, S. G. (2008, Spring). The rise of Afghanistan's insurgency: State failure and jihad. *International Security*, 32(4), 7-40. Retrieved August 8, 2009, from Project Muse database. *The author closely evaluates the upsurge in violence in Afghanistan. He cites facts and figures confirming the significance of the increase in violence and strongly suggests that this violence is caused by two factors: the permissive condition of weak central governance and ideology. While he is careful to write that not all insurgencies can be explained by these two factors, he fervently argues that these factors are the cause of the insurgency in Afghanistan.*

Q&A: ISAF troops in Afghanistan. (2009, July 2). Retrieved October 1, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/7228649.stm.

This Web site discusses, among other topics, the mandate, number, and evolution of ISAF in Afghanistan. Although this analysis doesn't delve deeply into the impact of the ISAF, this source is useful in understanding the basic facts of the ISAF. This Web site serves as an excellent starting point on understanding the ISAF.

Security Council Resolutions. (2009, January 21). Retrieved September 7, 2009, from Permanent Mission of Afghanistan to the United Nations in New York Web site: <http://www.afghanistan-un.org/category/afghanistan-at-the-un/resolutions/security-council-resolutions/>.

The Permanent Mission of Afghanistan to the United Nations in New York provides a plethora of information regarding the UN's relationship in Afghanistan. This Web site lists all recent Security Council resolutions that are directly applicable to Afghanistan. Other information found on this Web site includes statements by the Permanent Representative of Afghanistan to the United Nations, information on UNAMA, and general information about Afghanistan.

III. Combating Maritime Piracy

*"Pirata est hostis humani generis" – A pirate is the common Enemy of Mankind.
English jurist Sir Edward Coke (1552-1634)¹⁸⁸*

Introduction

Since goods were first moved across the oceans, pirates have sought to intercept and plunder maritime trade. Committed on the High Seas where no State has sovereignty, nations have long had to work collectively to combat piracy, developing international customs and law to regulate its excesses. The threat of piracy to global shipping has risen substantially over the past few years.¹⁸⁹ In 2008, according to the International Maritime Bureau nearly 900 hostages were taken in 293 acts of piracy or armed robbery against ships worldwide.¹⁹⁰ Over a third of these incidents occurred in the Gulf of Aden and off the coast of Somalia.¹⁹¹ Other areas prone to piracy include South East Asia, particularly around the Indonesian archipelago and Malacca Straits, and West Africa, particularly off the coast of Nigeria.¹⁹² The financial loss is difficult to quantify, but estimates range from US\$500 million to US\$25 billion a year in delays and detours, lost ships and cargo, ransom payments, insurance premiums and security costs.¹⁹³

Maritime Piracy and International Law

¹⁸⁸ Coke, *The Third Part of the Institutes of the Laws of England: Concerning High Treason and Other Pleas of the Crown and Criminal Causes*, 1797, p. 113.

¹⁸⁹ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 6.

¹⁹⁰ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 6.

¹⁹¹ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 6.

¹⁹² The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 6.

¹⁹³ Sakhuja, *Sea Piracy: India Boosts Countermeasures*, 2003; Ellis, *Piracy on the High Seas is on the Rise in South-East Asia*, 2003.

There are several multilateral agreements with the purpose of regulating piracy, including the 1958 Geneva Convention on the High Seas, the 1982 United Nations (UN) Convention on the Law of the Sea (UNCLOS) and the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention).¹⁹⁴ Both the Convention on the High Seas (in Article 15) and UNCLOS (in Article 101) define piracy as:

- (a) any illegal acts of violence or detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or private aircraft, and directed:
 - (i) on the high seas, against another ship or aircraft, or against persons or property on board such a ship or aircraft;
 - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any state;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).¹⁹⁵

The treaties also address the issue of jurisdiction. Under most circumstances, if a State wants to prosecute an individual, it must establish its jurisdiction over that individual.¹⁹⁶ Territorial jurisdiction is the most common form of Jurisdiction, because a State almost always has the power to enforce laws within its recognized sovereign territory.¹⁹⁷ UNCLOS allows a State jurisdiction over any ship in its territorial waters even when the ship carries a flag of a different state.¹⁹⁸ However, because pirates often commit their crimes on the high seas where no country has jurisdiction, their offences fall under “Universal Jurisdiction.”¹⁹⁹ The Convention on the High Seas establishes that “All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State” (Article 14).²⁰⁰ Article 19 of UNCLOS states:

On the high seas, or any other place outside the jurisdiction of any state, every state may seize a pirate ship or aircraft, or a ship taken by piracy and under control of pirates, and arrest persons and seize property on board. The courts of the state which carried out the seizure may decide upon penalties to be imposed and may also determine the action to be taken with regard to the property, subject to the rights of third states acting in good faith.²⁰¹

Although UNCLOS defines what constitutes acts of piracy its definitions are accused of being too constricted to include a substantial number of criminal acts committed by modern day pirates.²⁰² For UNCLOS, to be considered piracy there must be violence, detention, or destruction. The methods of modern pirates are different than the methods of pirates in the 20th century. Modern pirates often use sophisticated technology and can be highly organized criminal groups capable of undetected theft operations aboard vessels; and/or they may only threaten violence to get a ship’s crew to cooperate.²⁰³

In 1988, the International Maritime Organization (IMO) adopted the SUA Convention, with the purpose “to ensure appropriate action is taken against persons committing unlawful acts against ships.”²⁰⁴ Amongst the “unlawful acts” covered by the Convention are the seizure of ships; acts of violence against persons on board ships; and the placing

¹⁹⁴ Collins & Hassan, Applications and Shortcomings of the Law of the Sea in Combating Piracy: A South East Asia Perspective, 2009, p. 92.

¹⁹⁵ Collins & Hassan, Applications and Shortcomings of the Law of the Sea in Combating Piracy: A South East Asia Perspective, 2009, p. 94.

¹⁹⁶ Goodwin, *Universal Jurisdiction and the Pirate: Time for an Old Couple to Part*, 2006, p. 984.

¹⁹⁷ Goodwin, *Universal Jurisdiction and the Pirate: Time for an Old Couple to Part*, 2006, p. 984.

¹⁹⁸ Goodwin, *Universal Jurisdiction and the Pirate: Time for an Old Couple to Part*, 2006, p. 985.

¹⁹⁹ Jarvis, Robert M., *Maritime Piracy in the Modern World*, Spring 2006.

²⁰⁰ *Geneva Convention on the High Seas*, 1958.

²⁰¹ *UN Convention on the Law of the Seas*, 1982.

²⁰² Collins, Rosemary & Hassan, Daud Applications and Shortcomings of the Law of the Sea in Combating Piracy: A South East Asian Perspective, 2009, p. 95.

²⁰³ Collins, Rosemary & Hassan, Daud Applications and Shortcomings of the Law of the Sea in Combating Piracy: A South East Asian Perspective, 2009, p. 96.

²⁰⁴ *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, 1988.

of devices on board a ship that are likely to destroy or damage it.²⁰⁵ Parties to the SUA Convention are required to make such acts “punishable by appropriate penalties which take into account the grave nature of those offenses.”²⁰⁶ In 2005, new protocols were added to the SUA which include a new prohibition on detonating or illicitly transporting by sea nuclear, biological, chemical weapons, or other explosive materials that might cause harm to others.²⁰⁷

Case Study: Somalia and the Gulf of Aden

Piracy developed in Somalia in the early 1990s when armed groups defined themselves as an “authorized coast guard,” with rights to protect fishing in the exclusive economic zone of Somalia.²⁰⁸ Some see these armed groups as a legitimate response by local communities to deter illegal fishing and the dumping of toxic waste in Somali waters.²⁰⁹ Somalia’s warlords also began to intercept foreign vessels and extort cash in return for safe passage.²¹⁰ Ships that did not pay the fees opened up their crews to being kidnapped and held for ransom.²¹¹

In 2008, more than 100 incidents of piracy or attempted piracy occurred in the Gulf of Aden and western Indian Ocean.²¹² Operating in small clan-based networks, around 1,400 Somali men are thought to be engaged in piracy, earning an estimated US\$30 million a year.²¹³ The most active pirate networks are based in Puntland, a semi-autonomous region in northern Somalia.²¹⁴ Ransom payments to pirates were triple the amount of the budget of the Somalia’s Puntland regional government.²¹⁵

Operating from remote harbor towns or from larger ‘mother ships’ further from the coast, small fishing boats equipped with powerful outboard engines are used to approach larger merchant vessels.²¹⁶ A captured vessel and its crew are then brought to a pirate base on the Somali coast and negotiations are begun with the ship’s owners. The situation will normally be resolved after payment of a ransom. In 2009, these included a reported US\$3.2 million ransom for the Ukrainian *MV Faina* and its cargo of T-72 tanks, small arms and ammunition, and US\$3 million for the Saudi oil supertanker the *MV Sirious Star*.²¹⁷ A few hostage situations have also been ended after the use of military force. Naval Special Forces were deployed on three occasions by France and once by the United States (US) to free their nationals and kill or apprehend the pirates. However, there are concerns that such operations may provoke reprisal attacks.²¹⁸

In 2008, piracy off the Horn of Africa resulted in 815 people being taken hostage; three crew members have died and another 14 are missing-presumed dead.²¹⁹ The economic costs include many millions of dollars in ransom payments and higher insurance premiums. The delivery of humanitarian assistance has also been disrupted. The World Food Programme (WFP) uses ports along the east African coast to receive food aid destined for refugees and other vulnerable communities in Ethiopia, Somalia, southern Sudan and the eastern Democratic Republic of Congo.²²⁰ Many shipping lines are reluctant to carry humanitarian aid cargoes bound for these ports, and most humanitarian shipments must now take place under naval escort provided by the European Union.²²¹

²⁰⁵ *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, 1988.

²⁰⁶ *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, 1988.

²⁰⁷ *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, 1988.

²⁰⁸ Kraska, James & Wilson, Brian, *Maritime Piracy in East Africa*, 2009 p. 58.

²⁰⁹ Menkaus, Ken *Dangerous Waters*, 2009 p. 21.

²¹⁰ Menkaus, Ken *Dangerous Waters*, 2009 p. 22.

²¹¹ Menkaus, Ken *Dangerous Waters*, 2009 p. 24.

²¹² Kraska & Wilson, *Maritime Piracy in East Africa*, 2009, p. 55.

²¹³ Economist, *Perils of the Sea*, 2009.

²¹⁴ Ploch et al., *Piracy Off the Horn of Africa*, 2009, p. 6.

²¹⁵ Kraska, James & Wilson, Brian, *Maritime Piracy in East Africa*, 2009 p. 57.

²¹⁶ International Expert Group on Piracy off the Somali Coast, *Piracy Off the Somali Coast*, pp. 18-19.

²¹⁷ International Expert Group on Piracy off the Somali Coast, *Piracy Off the Somali Coast*, p. 9.

²¹⁸ International Expert Group on Piracy off the Somali Coast, *Piracy Off the Somali Coast*, p. 9.

²¹⁹ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 14.

²²⁰ World Food Program, *Two New Piracy Incidents Underline Threat to WFP Shipments*, 2009.

²²¹ United Nations Secretary-General, *Report of the Secretary-General pursuant to Security Council resolution 1846 (2008)*, 2009, pp. 8-9.

Naval Anti-Piracy Operations

Anti-piracy operations by coastguard and naval forces are one way of combating piracy. Many States have deployed warships off the Horn of Africa to deter and respond to pirate attacks. Most operate under the auspices of Coalition Task Force 151, which includes a NATO and EU contribution. China, India, Russia and other States have also deployed independent naval forces to the area.²²² The EU has made a joint deployment under Operation Atalanta, which includes surveillance efforts and naval forces.²²³ Navies operating under the EU's Operation Atalanta, have an agreement to turn captured pirates over to Kenya for trial, however ships operating under NATO only "protect and deter," pirates.²²⁴ In South East Asia, Indonesia, Malaysia, Singapore and Thailand similarly operate a combined anti-piracy force called the Malacca Strait Patrols (MSP), supported by forces from the Indian, Japanese and US navies.²²⁵

However, pirates often thrive in areas where the topography works to protect them from interdiction by the authorities. Somalia has the longest coastline in Africa and a combined international force of around 20 warships must patrol 1.1 million square miles of ocean.²²⁶ A workshop of international experts convened by the US Naval War College in 2009 to examine piracy off the Somali coast concluded: "It is not clear that such a large area can realistically be patrolled, even by a large multinational force. It would take more than 60 warships to provide an effective presence throughout just a single narrow vessel transit corridor."²²⁷ Other estimates suggest that it would take 140 warships to adequately patrol the Gulf of Aden, and many more to patrol the waters off eastern Somalia.²²⁸

Anti-piracy operations face a similarly challenging task in the Malacca Straits. Indonesian naval forces must control 17,000 islands and 54,000 km of coastline with less than 80 patrol craft.²²⁹ One senior Indonesian naval officer estimated that a fleet of 762 ships would be required to properly secure the Indonesia archipelago.²³⁰

Regional Cooperation and Coordination

Effectively combating piracy requires cooperation at the regional level. Two important regional agreements are currently in operation: the Djibouti Code of Conduct amongst States in East Africa and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAAP) amongst States in South East Asia.²³¹

Entering force in 2006, ReCAAP is widely views as an example of highly effective regional cooperation. It aims to promote communications, information exchange and operational cooperation amongst States in South East Asia. It established a permanent Information Sharing Centre in Singapore, which collates and disseminates information and intelligence regarding piracy attacks. Currently 14 States in the region are signatories to the agreement.²³²

The Djibouti Code of Conduct was established in January 2009 and currently has nine signatories: Djibouti, Ethiopia, Kenya, Madagascar, the Maldives, the Seychelles, Somalia, Tanzania, and Yemen.²³³ The agreement allows the armed forces of the signatories to pursue pirates into the territorial waters of other signatories.²³⁴ The

²²² Ploch et al., *Piracy Off the Horn of Africa*, 2009, p. 16.

²²³ Kraska, James & Wilson, Brian, *Maritime Piracy in East Africa*, 2009 p. 56

²²⁴ *Economist*, 5/9/2009, Vol. 391 Issue 8630, p. 62-62

²²⁵ Vavro, *Piracy, Terrorism and the Balance of Power in the Malacca Strait*, p. 15.

²²⁶ *Economist*, *Perils of the Sea*, 2009.

²²⁷ Kraska, *The Report on the US Naval War College Workshop on Somali Piracy: Fresh Thinking for an Old Threat*, 2009, p. 10.

²²⁸ *The Economist*, *Perils of the Sea*, 2009.

²²⁹ The CIA World Factbook, *Indonesia*, 2009.

²³⁰ Jane's Sentinel Security Assessment, *Navy, Indonesia*, 2008.

²³¹ International Maritime Organization, *High-level meeting in Djibouti adopts a Code of Conduct to repress acts of piracy and armed robbery against ships*, 2009; ReCAAP, *Factsheet On The Regional Cooperation Agreement On Combating Piracy And Armed Robbery Against Ships In Asia (ReCAAP)*, 2006.

²³² ReCAAP, *Factsheet On The Regional Cooperation Agreement On Combating Piracy And Armed Robbery Against Ships In Asia (ReCAAP)*, 2006.

²³³ International Maritime Organization, *High-level meeting in Djibouti adopts a Code of Conduct to repress acts of piracy and armed robbery against ships*, 2009.

²³⁴ Ryu, *Nine countries sign agreement to combat Africa piracy*, 2009.

agreement also established “piracy information centers” in Yemen, Tanzania, and Kenya to coordinate the sharing of information and intelligence.²³⁵ An anti-piracy military training center will also be established in Djibouti. Another goal of the Djibouti Code of Conduct is to get signatories to work toward ensuring that legislation is in place in all countries to adequately arrest and prosecute pirates. Clearly defined laws will enable other countries with naval forces in the region to arrest pirates and turn them over to national governments for prosecution.²³⁶

Private Sector and Industry Responses

The shipping industry itself has developed a number of initiatives to address the threat of piracy. The International Chamber of Commerce’s International Maritime Bureau maintains a 24-hour piracy reporting center in Malaysia, providing a real time Live Piracy Report of incidents that have recently occurred around the world.²³⁷ A number of international bodies and national government bodies, including the IMO and the International Maritime Bureau have also issued guidelines for protecting merchant ships from the risks of piracy.²³⁸ Some shipping owners are also directing shipping away from problem areas, traveling around the Cape rather than using the routes through the Gulf of Aden.²³⁹

There has also been the suggestion that merchant crew should be armed or protected by armed private security companies. However, all major shipping associations and the IMO are against arming merchantmen.²⁴⁰ However, some estimate that the business of private security firms guarding vessels in the Gulf of Aden has tripled in the last year.²⁴¹ In terms of securing shipping, the private security firms and national navies and coast guards have the same goals. However after a ship is taken over by pirates national coast guards and navies focus on intercepting and arresting pirates, while the private security firms will manage the payment of ransoms, which according to national governments only encourages piracy.²⁴²

Addressing the Root Causes of Piracy

While anti-piracy operations, private sector initiatives and regional coordination may provide a short-term solution to the problems of piracy; a longer-term solution may have to address the situation on land. Pirates commonly operate from poor coastal communities, often within States with weak central government control. The International Expert Group on Piracy off the Somali Coast (appointed by the UN Secretary-General’s Special Representative to Somalia) concluded that:

Poverty, lack of employment, environmental hardship, pitifully low incomes, reduction of pastoralist and maritime resources due to drought and illegal fishing and a volatile security and polity situation all contribute to the rise and continuance of piracy in Somalia. The Situation will remain so until there is an effective and simultaneous action taken against the pirate trade and an alternative means of income support mechanism implemented to replace it; otherwise criminal activity, in some shape or form, will continue to take priority as a means of generating income among the armed militias of Somalia.²⁴³

Amongst the solutions they propose for the problem of Somali piracy are redeveloping the domestic fishing and agricultural industries, infrastructure improvement projects, and measures to establish the rule of law, including strengthening the coastguard, prison service, law enforcement agencies and the legal structure in Somalia.²⁴⁴

²³⁵ International Maritime Organization, *High-level meeting in Djibouti adopts a Code of Conduct to repress acts of piracy and armed robbery against ships*, 2009.

²³⁶ Ryu, *Nine countries sign agreement to combat Africa piracy*, 2009.

²³⁷ International Maritime Bureau, *Live Piracy Report*, 2009.

²³⁸ International Maritime Bureau, *Securing Your Ship*, 2009.

²³⁹ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 39.

²⁴⁰ The International Maritime Bureau, *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December 2008*, p. 39.

²⁴¹ The Economist, *Splashing, and clashing, in murky waters*, 2009, p. 53.

²⁴² The Economist, *Splashing, and clashing, in murky waters*, 2009, p. 54.

²⁴³ International Expert Group on Piracy off the Somali Coast, *Piracy Off the Somali Coast*, p. 15.

²⁴⁴ International Expert Group on Piracy off the Somali Coast, *Piracy Off the Somali Coast*, pp. 42-43.

Conclusion: The Role UN Security Council

The Security Council needs to approach the issue in such a way that they are confronting threats and breaches to international peace, while upholding international law and doing its best to uphold the sovereignty of UN member states. Since 2008 the Security Council has passed four resolutions addressing the problem of maritime piracy in the Gulf of Aden and the Indian Ocean. In all of the recent resolutions pertaining to piracy the Security Council is encouraging use of existing measures and agreements to combat piracy. In June 2008, the Security Council passed Resolution 1816 concerning the piracy problem off the coast of Somalia. In clause seven, the Security Council mandates for six months States working with Somalia's Transitional Federal to:

- (a) Enter the territorial waters of Somalia for the purpose of repressing acts of piracy and armed robbery at sea, in a manner consistent with such action permitted on the high seas with respect to piracy under relevant international law; and
- (b) Use, within the territorial water of Somalia, in a manner consistent with action permitted on the high seas with respect to piracy under relevant international law, all necessary means to repress acts of piracy and armed robbery.²⁴⁵

The resolution only pertained to piracy in Somalia. In October 2008 the Security Council passed Resolution 1838, which urged states to continue to provide assistance in protecting WFP maritime convoys.²⁴⁶ In December 2008 the Security Council passed Resolution 1851, where in paragraph five it encourages:

All states and regional organizations fighting piracy and armed robbery at sea off the coast of Somalia to consider creating a centre in the region to coordinate information relevant to piracy and armed robbery at sea off the coast of Somalia, to increase regional capacity with assistance of UNODC to arrange effective ship rider agreements or arrangements consistent with UNCLOS and to implement the SUA Convention, the United Nations Convention against Transnational Organized Crime and other relevant instruments to which States in the region are party, in order to effectively investigate and prosecute piracy and armed robbery at sea offences.²⁴⁷

The "ship rider" agreements discussed above was originally proposed by the United Nations Office of Drugs and Crime (UNDOC). A ship rider agreement allows for regional law enforcement officers to ride on warships of other nations and make arrests of criminals operating in their territorial waters. Ship rider agreements have been used in the past to work across maritime borders to curb illegal fishing and drug smuggling.²⁴⁸ The Djibouti Code of Conduct creates the information coordinating centre recommended in the above resolution and the training centre called for by the Djibouti Code of Conduct could also be used to train and certify law enforcement officers for a ship rider program. The difficulty of a ship rider program is that the Somali criminal justice system is weak and there is no guarantee that suspected pirates will be fairly and properly treated if handed over to the authorities there. In May of 2009, the Russian president proposed the establishment of an international court for pirates, while EU countries operating in the Gulf of Aden have already agreed to turn all captured pirates over to Kenya.²⁴⁹

Delegates will need to determine what to do about maritime piracy based on how it affects their state's national interests. States whose shipping interests are being negatively affected by maritime piracy may want Inter-Governmental Organizations with significant military capabilities like the EU and Task Force 151 to deter pirates; while developing states might be more concerned with building national and regional capacity to combat piracy as a means of asserting more sovereignty over their territorial waters. States with national navies deployed to combat piracy will need to do a cost-benefit analysis to determine if the what they are spending yields worthwhile returns; if not then what is the best alternative?

²⁴⁵ UN Security Council Resolution 1816, 2008.

²⁴⁶ UN Security Council Resolution 1838 2008

²⁴⁷ UN Security Council Resolution 1851 2008

²⁴⁸ UN Office on Drugs and Crime, *'Ship riders': Tackling Somali pirates at Sea*, 2009

²⁴⁹ The Economist, *Wrong Signals*, 2009, p. 62.

As Security Council responses to piracy off the Horn of Africa begin to take effect, now may be a sensible moment for the international community to reflect on lessons learned from the experience in Somalia and consider the phenomenon of piracy internationally. Deployment of multilateral naval forces and the expansion of the naval and coastguard capacity of States within affected regions can help contain piracy. However, such initiatives must inevitably involve cost-benefit analysis and can never fully control the problem. Regional cooperation and private sector initiatives have also proved effective and might be encouraged and expanded by the Council. However, it seems that a long-term solution must consider the problem more widely, addressing root causes on land such as poverty, weak governance and poor security in coastal areas.

Must Read

Goodwin, J. M. (2006). Universal jurisdiction and the pirate: Time for an old couple to part. *Vanderbilt Journal of Transnational Law*, 39(973), 973-1013.
This article is a must read for understanding "Universal Jurisdiction;" even though it argues against it. It provides in-depth historical analysis about piracy and the evolution of current laws pertaining to it. Recommended readings are sections III, IV, and V.

International Expert Group on Piracy off the Somali Coast. (November 21, 2008). *Piracy off the Somali Coast: Workshop Commissioned by the Special Representative of the Secretary-General of the UN to Somalia*.
The expert panel provides a thorough assessment of the problem of piracy off the Somali coast. It also includes many policy recommendations. Delegates will find the report a very useful guide to understanding the problem of piracy as it exists off the Horn of Africa.

International Maritime Bureau. (2008). *Piracy and Armed Robbery Against Ships: Annual Report, 1 January – 31 December*. Kuala Lumpur: International Maritime Bureau.
The International Maritime Bureau compiles statistics of piracy and armed attacks on international shipping. Their Annual Report includes data for the past few years. There are also descriptions of recent significant developments. The report can be acquired free of charge by emailing the Bureau.

Ploch, L., Blanchard, C. M., O'Rourke, R., Mason, R. C. & King, R. O. (2009). *Piracy Off the Horn of Africa*. Washington DC: Congressional Research Service.
This report is written for American legislators by the Congressional Research Service. Taking an American perspective, it considers the problem of piracy off the Horn of Africa. It is a useful initial guide to the issues.

United Nations Convention on the Law of the Sea, December 10, 1982.
The convention defines the rights and responsibilities of States in their use of the world's oceans, establishing guidelines for the management of marine natural resources. Building on the Convention on the High Sea, it also defines piracy and outlines the rights of States in combating it. The convention's full text can be found at http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.

Annotated Bibliography

Committee History

Baehr, P., & Gordenker, L. (2005). *The United Nations: Reality and Ideal*. New York: Palgrave.

This book provides a good overview of the UN. It elaborates on the successes and failures and thus makes it evident that a reform is needed. While providing a somewhat critical viewpoint the book serves as a good indicator that the full potential of the UN is not yet achieved.

Fassbender, B. (2004). Pressure for Security Council Reform. In D. Malone, *The UN Security Council: From the Cold War to the 21st Century* (pp. 341-356). Boulder, CO: Lynne Rienner.

Bardo Fassbender provides a general summary of efforts to reform the Security Council. Despite the fact that the reform is officially on the agenda since the 1990s, no achievements have been made. His chapter forms part of an authoritative account of the Security Council's recent history edited by David Malone as part of a project by the International Peace Academy.

Fasulo, L. (2004). *An Insider's guide to the UN*. New Haven: Yale University Press.

Like other books this book elaborates on the structure and committees of the UN. It provides however curious details. As such the book is a good background for anecdotes and interesting facts about the UN history.

Gareis, S., & Varwick, J. (2010). *The United Nations : An Introduction – Second Edition* New York: Palgrave Macmillan.

This book is a good introduction to the UN. It elaborates on the basic structure and the different committees of the UN. This knowledge is fundamental for a well-prepared delegate. In addition to guiding delegates through a comprehensible history of the organization as well as a thorough explanation of the general structure, the Second Edition of the book tries to address the role and prospects of reform of the UN in the twenty-first century.

Global Policy Forum. (n.d.). *Subjects of UN Security Council Vetoes*. Retrieved August 27, 2009, from <http://www.globalpolicy.org/security-council/tables-and-charts-on-the-security-council-0-82/subjects-of-un-security-council-vetoes.html>

This webpage provides an overview of how the number of vetoes casts in the Security Council. It also provides an explanation on why the countries motivation. In principal the issue of the veto in the Security Council is one of the core issues for any future UN reform.

Kerim, S., Dr. (2008). The UN Reform: Achievements, Limits and Challenges. *Diplomacy*, 1(1), 189-197.

In his speech, Dr. Kerim, the president of the 62nd General Assembly, outlines why the UN needs to reform itself. His speech, which was given at the Bulgarian Diplomatic Institute in Sofia, serves as a basic guideline to any future reform. As such it provides a perfect introduction to any delegate interested in the goals and ambitions of UN reform.

Luck, E. (2006). *UN Security Council: Practice and Promise*. New York: Routledge.

The author provides an overview of the expectations and politics prior to the formation of the Security Council in 1945. The article outlines the powers and functions of the Council. Overall, this is a very thorough analysis of the history and function of the Council.

Reform the UN. (n.d.). *G4 (Germany, Japan, Brazil, India)*. Retrieved August 27, 2009, from

<http://www.reformtheun.org/index.php/countries/287?theme=alt1>

On this webpage delegates can find the proposal by the so-called G4 for UN Reform. In the proposal, Germany, Japan, Brazil and India together call for a reform of the UN. While they do not directly call for a seat for themselves, it is obvious that they would be the candidates for a seat for their geographic region. They also explicitly call for two permanent seats for countries from the African continent. However, like all other proposals so far, it did gain sufficient backing in the General Assembly and was not put to a vote.

Rittberger, V., & Baumgärtner, H. (2006). Die Reform des Weltsicherheitsrats - Stand und Perspektiven [The Reform of the UN Security Council - Analysis and Perspectives]. In J. Varwick & A. Zimmermann, *Die Reform der*

Vereinten Nationen - Bilanz und Perspektiven [The Reform of the United Nations - Analysis and Perspectives] (pp. 47-66). Berlin: Duncker & Humblot.

This book provides a very thorough analysis of the need for UN reform. Multiple articles elaborate on various concrete proposals which have been put forward in the past. For the German-speaking delegates this book serves as a perfect background an UN reform.

United Nations. (n.d.). *Security Council*. Retrieved August 26, 2009, from <http://www.un.org/Docs/sc/>
The Security Council's website is a great starting point for any research on the topics presented to the delegates and a good source of information regarding this particular organ of the UN system. Delegates will be able to research resolutions and acquire a better understanding of the structures that surround the Security Council and its unique place in the UN system. The website provides frequent updates on topics discussed by state representatives in addition to numerous reports.

United Nations. (n.d.). *Security Council Sanctions Committees: An Overview*. Retrieved August 26, 2009, from <http://www.un.org/sc/committees/>
Included amongst the Security Council's subsidiary organs are the sanction committees, responsible for monitoring various embargoes established by the Council. The website provides a brief overview of the Council's sanction activities. Information about individual sanction regimes is also available from pages linked from this area of the Council's website.

United Nations. (n.d.). *United Nations Peacekeeping*. Retrieved August 26, 2009, from <http://www.un.org/Depts/dpko/dpko/>
The Department for Peacekeeping Operations offers a brief history of the UN's peacekeeping role and its operation today. The page offers a thorough explanation of how the role of blue helmets has expanded from a traditional peacekeeping to a broader peace-building mission. There are many hyperlinks to a variety of other interesting information about the UN's peacekeeping activities.

United Nations. (1945). *Charter of the United Nations*. Retrieved August 26, 2009, from <http://www.un.org/en/documents/charter/>
Established in 1945, the UN Charter is the UN's "constitution." Reading the Charter of the United Nations offers the best means of understanding the powers and responsibilities of the Security Council. The Council is covered in Chapters V, VI and VII.

United Nations. (1946). *Security Council Resolution (S/RES/1): Military Staff Committee*. Retrieved November 8, 2009 from <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/036/64/IMG/NR003664.pdf?OpenElement>
The first resolution of the Security Council was passed in 1946. Resolutions since have been numbered sequentially. All resolutions passed by the Council are archived on the UN's website.

United Nations (1963) *General Assembly Resolution 1991*. Retrieved November 8, 2009 from [http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/RES/1991\(XVIII\)&Lang=E&Area=RESOLUTION](http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/RES/1991(XVIII)&Lang=E&Area=RESOLUTION)
Resolution 1991 of the United Nations General Assembly marked the expansion of the Security Council to its actual form and regional repartition. In this documents, delegates will be able to understand the spirit in which this expansion, as well as the expansion of the Economic and Social Council, was decided by the UN. It must be noted that although the resolution itself was passer in 1963, it only took effect in 1965.

United Nations. Security Council. (1999). *Resolution 1261 (1999)*. Retrieved November 8, 2009 from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/248/59/PDF/N9924859.pdf?OpenElement>
The Security Council considers the impact of armed conflict on children. The resolution is an example of a number of more thematic items on the Council's agenda. The Council has increasingly considered such items since the end of the Cold War.

United Nations. Security Council. (2000). *Resolution 1308 (2000)*. Retrieved November 8, 2009 from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/536/02/PDF/N0053602.pdf?OpenElement>
The Security Council debated a health issue and its relation to security for the first time in 2000. This resolution, addressing HIV/AIDS as a security issue, is an example of thematic issues reaching the Council's agenda. The Council has been more likely to consider thematic questions since the end of the Cold War.

United Nations. Security Council. (2008). *Resolution 1820 (2008)*. Retrieved November 8, 2009 from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/391/44/PDF/N0839144.pdf?OpenElement>
The Security Council has considered women and international peace and security on a number of occasions. This recent resolution recognized sexual violence as a “tactic of war”. It is an example of a number of thematic issues reaching the Council’s agenda.

United Nations General Assembly 59th Session. (2005). *Draft Resolution: Question of equitable representation on and increase in the membership of the Security Council and related matters (A/59/L.67)*. Retrieved August 27, 2009, from <http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/InternatOrgane/VereinteNationen/Downloads/ResEntwurfG4.pdf>
This is the draft proposal for a Security Council reform put forward by the African States. In contrary to other proposals it includes explicitly that the new permanent members of the security council should also have the veto right. Like other proposals this suggestion did not receive sufficient support and was not put to a vote in the General Assembly.

United Nations Secretary General. (1992). *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping (A/47/277 – S/24111)*. Retrieved August 26, 2009, from <http://www.un.org/Docs/SG/agpeace.html>
Former UN Secretary-General Boutros Boutros-Ghali drafted a report in 1992 examining the UN’s peace operations. It divided these operations into peacemaking, peacekeeping and peace building. The Agenda for Peace is a key document in the development of the UN and its peacekeeping mission after the end of the Cold War.

I. Nuclear Disarmament and Non-Proliferation

Ahmadinejad, M. (2006, September 20). *Iranian Nuclear Program*. Address presented at United Nations General Assembly, New York. Retrieved September 1, 2009, from <http://www.globalsecurity.org/wmd/library/news/iran/2006/iran-060920-irna02.htm>
Iranian President Mahmoud Ahmadinejad addressed, on September 20, 2006, the 61st Session of the United Nations General Assembly. His speech is marked by the emphasis on Iran’s “inalienable” right to enrich uranium. This source is especially useful to understand a state’s argumentation favoring nuclear technologies.

Albright, D. (2007, February 20), *The North Korean Plutonium Stock, February 2007*. Washington, DC: Institute for Science and International Security Publications. Retrieved November 8, 2009 from <http://www.isis-online.org/publications/dprk/DPRKplutoniumFEB.pdf>
This report by the Institute for Science and International Security focuses on one specific element of North Korea’s nuclear activity by estimating the extent of the fissile material’ stock of the country. The Institute makes a thorough review of the production and use of Plutonium in North Korea since the end of the 1980s to 2007. While hard facts were not always available, the reports explores different potential sources for the material as well as its final use.

BBC News, 12 June 2009, *North Korea’s missile programme*, Retrieved September 1, 2009, from <http://news.bbc.co.uk/2/hi/asia-pacific/2564241.stm>
This is a summarizing the main points of North Korea’s nuclear program. The news article focuses on the short description and concise review of ballistic missiles which North Korea is said to have developed. It also includes a map showing the potential ranges of those missiles as well as brief descriptions of the types of missiles mentioned in the text.

BBC News, 16 November 2009, *Q&A: Iran and the nuclear issue*, Retrieved November 8, 2009, from http://news.bbc.co.uk/nol/ukfs_news/hi/newsid_4030000/newsid_4031600/4031603.stm
This document is an article in form of a question and answer session, reviewing the issues involved in Iran nuclear programme. The focus points are both regional as well as global and some of the questions raise problems that are indispensable in the understanding of this topic. It is regularly reviewed and updated and thus will serve as important reference point for students throughout the NMUN working year.

BBC News, 12 June 2009, *Q&A: North Korea nuclear test*, Retrieved September 1, 2009, from <http://news.bbc.co.uk/2/hi/asia-pacific/2340405.stm>
This document is an article in form of a question and answer session, reviewing the issues involved in the North Korean nuclear weapons program. The focus points are both regional as well as global and some of the questions

raise problems that are indispensable in the understanding of this topic. It is regularly reviewed and updated and thus will serve as important reference point for students throughout the NMUN working year.

Campbell, K. M. et al. (2004). *The Nuclear Tipping Point: Why States Reconsider Their Nuclear Choices*. Washington, DC: Brookings Institution Press.

This book examines the factors – both domestic and international – that shape a country's nuclear policy. It further deals with geopolitical implications of States acquiring nuclear weapons technology and the possible regional evolutions in the future. Case studies of long-term non-nuclear weapons States such as Germany, Egypt, Saudi-Arabia, Turkey or Japan show how these key regional players might be 'pushed over the edge of a nuclear tipping point'. Given the large number of contributors to this book, delegates will benefit from a variety of expert viewpoints on this issue.

Carter, J. (1979). *Speech to the United States Congress*, 18 June 1979. Retrieved July 19, 2009, from http://www.ena.lu/speech_jimmy_carter_washington_18_june_1979-020002963.html

This is an important document, both because of its origins and timeliness. As such, it provides an opportunity for delegates to read the original words of a world leader at the time when nuclear non-proliferation had finally risen on the political agenda, shortly after the signing of the SALT II Strategic Arms Limitation Treaty in Vienna. In his speech, former President Jimmy Carter underlines the implications of this disarmament process and urges Congress to support him in these efforts. This document provides a detailed examination of the core issues involved in the discussion of nuclear non-proliferation.

Carter, J. (2007). *Undermining Peace*, Article in *The Guardian*, September 9, 2007. Retrieved July 22, 2009, from <http://www.guardian.co.uk/commentisfree/2007/sep/09/underminingpeace>

In this article, Jimmy Carter writes as an independent commentator of world politics. He looks back at the past decades of nuclear non-proliferation and draws comparisons with today, mentioning important issues such as the role played by the US, the importance of international agreements and the signals sent out to the international community by cases of non-compliance. The historical review and the facts that he delivers will be of great help for delegates to prepare discussions on that topic.

Cirincione, J. (2007). *Bomb Scare: The History and Future of Nuclear Weapons*. New York: Columbia University Press.

In this book, the former Vice-President for National Security at the Center of American Progress presents a look at the history of nuclear proliferation and an idea of its future. The author deals with the scientific, strategic and political factors that led to nuclear proliferation and subsequently offers a solution to this problem: a combination of force and diplomacy – enforcement and engagement – which would lead to a continuous decrease in nuclear arsenals.

Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (1995). *Extension of the Treaty on the Non-Proliferation of Nuclear Weapons*. Retrieved 8 November 2009 from http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/pdf/NPT_CONF199503.pdf

This decision of the parties to the NPT was voted upon at the review conference of 1995. It is with this decision that the treaty became permanent and exceeded its 25 years life expectancy. The decision was voted by a majority of the 190 states party to the treaty.

David, P. (Speaker). (2007). *Iran's Nuclear Program*. London. Retrieved July 21, 2007, from The Economist Web site: http://www.economist.com/media/audio/specialreport_Iran_07_2007.mp3

This interview with the foreign editor of The Economist offers an interesting presentation of Iran in the context of its nuclear program. It is the view of a Middle-East expert which makes this source so useful. The interview is particularly well structured and delegates will find answers to many questions.

International Commission on Nuclear Non-proliferation and Disarmament. (n.d.) *International Commission on Nuclear Non-proliferation and Disarmament*. Retrieved from <http://www.icnnd.org/>

The International Commission on Nuclear Non-Proliferation and Disarmament is (ICNND) is a joint initiative of the Australian and Japanese governments. The Commission aims at strengthening the nuclear non-proliferation regime in the run-up to the 2010 NPT Review Conference by helping to revive international efforts in both the

nuclear non-proliferation and disarmament domains. The website is highly useful for delegates' research as it provides important and up-to-date research papers online.

Japanese Ministry of Foreign Affairs (2009), *Nuclear Disarmament and Non-Proliferation*, Retrieved July 21, 2009, from

<http://www.mofa.go.jp/policy/un/disarmament/arms/nuclear.html>

This is the official website of the Ministry of Foreign Affairs of Japan. It is specifically tailored to address the issue of nuclear disarmament and non-proliferation. Thus, it provides crucial links to official documents, speeches and statements, as well as core treaties such as the NPT, the CTBT or the FMCT. Delegates will benefit from this example of State initiative to bring cooperation for the elimination of nuclear weapons to a higher level.

United Nations, Office of the Secretary-General (2006). *"Nuclear Non-Proliferation Treaty faces crisis of compliance, confidence, Secretary-General says in address to University of Tokyo"*, Retrieved July 21, 2009, from <http://www.un.org/News/Press/docs/2006/sgsm10466.doc.htm>

This document is the text of former UN Secretary-General Kofi Annan's speech at the University of Tokyo on May 16, 2006. In his speech he addresses the absolute need to further strengthen the non-proliferation regime and to actively pursue nuclear disarmament. The importance of this speech to a State that has been victim of a nuclear bomb attack weighs significantly and does indeed reflect the strong commitment of Japan to pursue international disarmament, which Mr. Annan praises in his speech, alongside Japan's commitments to development and humanitarian assistance.

United Nations. (2009). *Official Website of the Preparatory Committee for the 2010 Nuclear Non-Proliferation Treaty Review Conference*. Retrieved July 23, 2009, from

<http://www.un.org/disarmament/WMD/Nuclear/NPT2010Prepcom/PrepCom2009/>

The official website of the Preparatory Committee for the 2010 NPT review conference is an absolutely crucial source for delegates to keep up-to-date with the most recent developments around the NPT. Especially given the timeliness of the next NPT Review Conference, this website provides excellent preparation material for a UN simulation as close to the real world as possible.

United Nations Security Council. (2004). *Official Website of the 1540 Security Council Committee established pursuant Resolution 1540*. Retrieved July 22, 2009, from

<http://www.un.org/sc/1540/>

This is the official website of the 1540 Committee, which was established on April 2004. It provides an overview of the history and the working of this specific Committee. Moreover, delegates can find direct links to Security Council Resolutions and Statements, which can be used for research and as examples during the Conference.

United Nations Security Council (1992), *S/23500, Note by the President of the Security Council*, 31 January 1992. Retrieved July 19, 2009, from http://www.stimson.org/cnp/pdf/S23500_UNSC.pdf

This note by the former president of the UN Security Council highlights crucial developments in the work of the Security Council. More importantly, this document acts as important example of how the topic of nuclear non-proliferation and disarmament gradually moved up on the agenda of the Security Council. Delegates can use this original document as a strong reminder of the Charter obligation conferred onto the Security Council – namely to maintain international peace and security.

United Nations Security Council (2006). *Statement by the President of the Security Council S/PRST/2006/56*, 20 December 2006. Retrieved July 19, 2009, from

http://www.un.org/Docs/sc/unsc_pres_statements06.htm

This is the direct link onto the list of UN Security Council Presidential Statements of 2006. Statement S/PRST/2006/56 specifically addresses the threats to international peace and security caused by terrorist acts. As this theme is of utmost importance in contemporary international affairs, this document will be an important source for delegates in their preparation of up-to-date discussion and resolution writing material.

United Nations Security Council (2007). *Statement by the President of the Security Council S/PRST/2007/4*, 23 February 2007. Retrieved July 19, 2009, from

<http://daccessdds.un.org/doc/UNDOC/GEN/N07/248/83/PDF/N0724883.pdf?OpenElement> *This link leads delegates to the list of all Security Council Presidential Statements of 2007. The importance of Statement S/PRST/2007/4 is*

defined by its focus on the non-proliferation of weapons of mass destruction. Delegates will find this recent document particularly useful because of its concise presentation of issues dealt with in the aftermath of Resolution 1540 and the lack of universal compliance with it.

Wulf, Norman A. (2008) *Addressing the Challenges Facing the NPT*, Washington D.C: Arms Control Association, Retrieved 8 November 2009 from http://www.armscontrol.org/events/20080617_Morning_Panel
Founded in 1971, is a national nonpartisan membership organization dedicated to promoting public understanding of and support for effective arms control policies. During a conference held by the Association, Ambassador Norman Wulf addressed the specific question of the application of clause Vi of the NPT. The transcript hereby presented will provide delegates with an overview of the other challenges faced by the NPT, including discussions on clause IV of the treaty and the risks associated with uranium enrichment as well as the importance of strengthening the safeguards provided by the Treaty.

II. The Security Situation in Afghanistan and Pakistan

Afghan election fraud probe grows. (2009, August 30). Retrieved September 5, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8229221.stm.
This analysis examines the growing number of allegations of fraud in the 2009 national Afghan election. Most interestingly, it examines the conflicting reports of state-craft fraud. It also briefly states results of the election, as counted to-date.

Afghanistan struck by twin blasts. (2009, August 13). Retrieved August 14, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8199285.stm.
While this article highlights the increasing violence in Afghanistan, it focuses predominantly upon the reason for this violence: approaching national elections. The Web site writes that President Hamid Karzai, the front-runner, is challenged by Abdullah Abdullah and Ashraf Ghani. It also notes that because of the Taliban's threat to increase violence before this election, military units have been put on alert.

Afghanistan's turbulent history. (2008, November 21). Retrieved August 3, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/1569826.stm.
This article tells a detailed account of Afghanistan's history. Knowledge of this history is vital in order to understand the challenges faced by the current Afghan government. The article also provides a cultural explanation for the Taliban's refusal to acquiesce to international demands.

The Afghan-Pakistan militant nexus. (2009, June 22). Retrieved July 21, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/7601748.stm.
This Web site gives up-to-date information on the security situation in Afghanistan and Pakistan. It provides an in-depth analysis of each province concerned and the groups in power. This Web site is instrumental in understanding the current situation in the region.

Arnault, J. (2004, May 27). *Briefing by Mr. Jean Arnault SRSG for Afghanistan to the UN Security Council on the situation in Afghanistan.* Briefing presented at United Nations Security Council.
This briefing examines the situation in Afghanistan. Mr. Arnault discusses, among other things, voter registration, electoral law, participation, and political parties, in anticipation of the approaching election. Most importantly, Mr. Arnault stresses the importance of the international community's influence in the region.

Bennett-Jones, O. (2009, May 21). *Tide turns against the Taliban.* Retrieved August 14, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8059900.stm.
Bennett-Jones argues that support for the Taliban and other extremist groups have significantly decreased in the western areas of Pakistan. People find the Taliban's tactics unjustified and ruthless. Average citizens are now pleased to see a stronger presence by the Pakistani military.

Cohen, C., & Chollet, D. (2007, Spring). *When \$10 billion is not enough: Rethinking U.S. strategy toward Pakistan.* *The Washington Quarterly*, 30(2), 7-19. Retrieved July 20, 2009, from EBSCOhost Academic Search Premier database.

The authors suggest that U.S. monetary support of General Musharraf's regime has failed the Pakistani people and U.S. interests. Musharraf's inability to govern the regional provinces of Pakistan has directly led to the destabilization of Afghanistan. Cohen and Chollet strongly suggest that the United States should rethink its policies concerning Pakistan.

Fair, C. C. (2008, March). The educated militants of Pakistan: Implications for Pakistan's domestic security. *Contemporary South Asia*, 16(1), 93-106. Retrieved July 20, 2009, from EBSCOhost Academic Search Premier database.

Fair's work is a micro-level investigation of Pakistani militants. It surveys 141 militant households and concludes that the militants in this sample are better educated than the average Pakistani. Fair also suggests that Pakistani militants are the result of the government of Pakistan's sponsorship of extremist organizations.

Gregory, S., & Fair, C. C. (2008, March). The cohesion and stability of Pakistan: An introduction to the special issue. *Contemporary South Asia*, 16(1), 3-9. Retrieved July 20, 2009, from EBSCOhost Academic Search Premier database.

This article introduces a special issue of Contemporary South Asia. This issue presents articles produced by the Pakistan Security Research Unit, at the University of Bradford, UK. It closely examines the stability and future of Pakistan.

Gregory, S., & Revill, J. (2008, March). The role of military in the cohesion and stability of Pakistan. *Contemporary South Asia*, 16(1), 39-61. Retrieved July 20, 2009, from EBSCOhost Academic Search Premier database.

Gregory and Revill discuss the successive regimes in Pakistan, focusing on continued military intervention in domestic politics. They closely examine the regime of General Pervez Musharraf's. Gregory and Revill conclude that while military regimes have been favored allies by Western states, these regimes have continually resulted in domestic instability and unrest.

International Council on Security and Development. (2008, December). *Struggle for Kabul: The Taliban advance*. Retrieved August 14, 2009, from: http://www.icosgroup.net/modules/reports/struggle_for_kabul.

This report investigates the resurgence of the Taliban in Afghanistan. It presents several maps, which show where and to what extent the Taliban is effective in Afghanistan. Most notably, the report explains a new and progressive approach to respond to the growing Taliban insurgency.

International Crisis Group. (2009, March 13). Pakistan: The militant jihadi challenge. *Asia Report*, 164. Retrieved August 14, 2009, from <http://www.crisisgroup.org/home/index.cfm?id=6010&l=1>.

This lengthy report closely examines the rise of militants in Pakistan. It gives an in-depth analysis of the militant groups involved, the political parties in Islamabad, and the affected regions. The report also gives recommendations for addressing the current situation.

International Security Assistance Force. (2009, April 29). *ISAF mandate*. Retrieved August 14, 2009, from the North Atlantic Treaty Organization Web site: <http://www.nato.int/ISAF/topics/mandate/index.html>.

This Web site lists important background information regarding the International Security Assistance Force (ISAF). Not only does this Web site discuss applicable UN Security Council resolutions, but it also discusses the goals of the mission. Moreover, the Web site contains several links for further information on the ISAF and related matters.

Johnson, T. H. & Mason, M. C. (2008, Spring). No sign until the burst of fire: Understanding the Pakistan-Afghanistan frontier. *International Security*, 32(4), 41-77. Retrieved August 8, 2009, from Project Muse database.

Johnson and Mason argue that violence in Afghanistan is due, in large part, to the cultural beliefs of the Pashtun, the predominant ethnicity. They suggest that rather than try to strengthen the central government in order to decrease violence, tribal relations and leaders in Pashtun areas should be strengthened to "restore the traditional balance" to Afghanistan. Johnson and Mason suggest that because of the Pashtun culture, the idea of a strong nation-State in Afghanistan is a fallacy.

Jones, S. G. (2008, Spring). The rise of Afghanistan's insurgency: State failure and jihad. *International Security*, 32(4), 7-40. Retrieved August 8, 2009, from Project Muse database.

The author closely evaluates the upsurge in violence in Afghanistan. He cites facts and figures confirming the significance of the increase in violence and strongly suggests that this violence is caused by two factors: the permissive condition of weak central governance and ideology. While he is careful to write that not all insurgencies can be explained by these two factors, he fervently argues that these factors are the cause of the insurgency in Afghanistan.

Jones, S. G. (2009, April 2). *U.S. Strategy in Afghanistan*. Testimony presented at the United States House of Representatives Foreign Affairs Committee, Subcommittee on Middle East and South Asia. *Jones works to dispel several myths and inaccurate assumptions involving the conflict in Afghanistan. He highlights the actors involved in the situation, the extent of U.S. involvement, and the problems facing a "bottom-up" strategy. He also notes that the Taliban lacks support among the Afghan people.*

Khan, M. I. (2007, December 6). *Pakistan dancing girls fear Taleban*. Retrieved September 5, 2009, from the BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/7121622.stm. *Khan discusses the closure of several businesses within Taliban-held Pakistan because they are viewed as un-Islamic. He focuses on the Taliban's terrorizing of "dancing girls." This analysis provides an interesting perspective on the human suffering caused by the Taliban.*

Mazzetti, M. & Schmitt, E. (2008, August 1). *Pakistanis aided attack in Kabul, U.S. officials say*. *The New York Times*. Retrieved September 5, 2009, from The New York Times Web site: <http://www.nytimes.com/2008/08/01/world/asia/01pstan.html>. *Mazzetti and Schmitt provide an analysis of the aftermath of the July 7 bombing in Kabul. Because of the involvement of members of Pakistan's Inter-Services Intelligence, relations between the United States and Pakistan have become increasingly strained. Officials within the U.S. government have begun to question Pakistan's reliability based upon this information.*

McNamara, M. (2006, September 5). *The Taliban in Afghanistan: As the Taliban resurfaces, find out more about them*. Retrieved September 5, 2009, from The CBS Evening News Web site: <http://www.cbsnews.com/stories/2006/08/31/fyi/main1957678.shtml>. *McNamara succinctly presents information on the Taliban. She structures the article in a question and answer format, and answers the following questions: "how did the Taliban rise to power," "who is the Taliban leader," "what is the Taliban's mission," "why is fueling hatred of the US," "why has the Taliban resurfaced," and "what are some of the Taliban's rules."*

Mullen, R. D. (2009, January/February). *Afghanistan in 2008: State building at the precipice*. *Asian Survey*, 49(1), 28-38. Retrieved July 20, 2009, from Caliber database. *Mullen argues that state-building efforts in Afghanistan have been significantly deterred by the Taliban's control of rural provinces, corruption, and the production of illicit substances. In an effort to combat this, international forces intensified their military efforts, which resulted in an increased number of civilian casualties. The author argues that this enlarged number of casualties has caused civilians to urge the Afghan government and international forces to negotiate with more moderate elements of the Taliban.*

Nelson, M. J. (2009, January/February). *Pakistan in 2008: Moving beyond Musharraf*. *Asian Survey*, 49(1), 16-27. Retrieved July 20, 2009, from Caliber database. *Nelson recounts the events immediately following General Musharraf's resignation as president of Pakistan. He provides an in-depth analysis of Pakistani politics, including political parties, party leaders, and coalitions. His work also evaluated the impact of economic instability and foreign entities on domestic politics in Pakistan.*

Pakistan to reform tribal areas. (2009, August 14). Retrieved September 5, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8201802.stm. *This analysis examines Pakistan's evolving treatment of the Federal Administered Tribal Area (FATA) region, and its impact on the security situation in the region. It suggests that there is a direct negative correlation between the power of the central government and the insurgency. The new policies would allow the influence of political parties in the region and the representation of the FATA in the 2013 national assembly.*

Q&A: ISAF troops in Afghanistan. (2009, July 2). Retrieved October 1, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/7228649.stm.

This Web site discusses, among other topics, the mandate, number, and evolution of ISAF in Afghanistan. Although this analysis doesn't delve deeply into the impact of the ISAF, this source is useful in understanding the basic facts of the ISAF. This Web site serves as an excellent starting point on understanding the ISAF.

Q&A: Pakistan's Swat offensive. (2009, May 20). Retrieved October 1, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8044604.stm.

As indicated by the title, this Web site examines the Pakistani government's recent military actions in the Swat region of Pakistan. Similar to the aforementioned Web site discussing the ISAF, this relatively shallow analysis is an excellent starting point for research. It also offers a brief analysis of the US-Pakistani relationship, which may prove particularly useful in understanding the dynamics in the region.

Security Council Resolutions. (2009, January 21). Retrieved September 7, 2009, from Permanent Mission of Afghanistan to the United Nations in New York Web site: <http://www.afghanistan-un.org/category/afghanistan-at-the-un/resolutions/security-council-resolutions/>.

The Permanent Mission of Afghanistan to the United Nations in New York provides a plethora of information regarding the UN's relationship in Afghanistan. This Web site lists all recent Security Council resolutions that are directly applicable to Afghanistan. Other information found on this Web site includes statements by the Permanent Representative of Afghanistan to the United Nations, information on UNAMA, and general information about Afghanistan.

Swat diary: "We fled our village." (2009, June 1). Retrieved July 30, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/8076836.stm.

This brief article gives a first-hand account of an internally displaced person from the Swat region of Pakistan. This Web site notes the intense fighting in the region and draws attention to the impact this fighting has had on a micro-level. This perspective is unusual but vital in understanding the current conflict.

Taliban growing in strength. (2009, May 13). Retrieved September 5, 2009, from BBC News Web site: http://www.bbc.co.uk/worldservice/news/2009/05/090513_pakistan_map.shtml.

This Web site includes two multimedia analyses of the Taliban's expansion, as reported by Barbara Plett. It also includes a link to the map of the Pakistan areas discussed. This information, compiled by numerous reports from BBC correspondents, is essential in understanding the conflict.

Tanin, Z. (2009, June 27). *Dealing with crises in Afghanistan and Pakistan.* Address presented at 26th International Workshop on Global Security, Istanbul, Turkey.

Tanin's brief statement outlines steps to address the security situation in the region. Specifically, he suggests three specific steps: (1) increase security in order to increase governance, (2) strengthen governance, and (3) increase regional cooperation. Tanin strongly emphasizes that failure is not an option.

Timeline: Afghanistan. (2009, March 27). Retrieved July 21, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/1162108.stm.

This Web site gives information on the history of Afghanistan, as it examines and explains pertinent events dating back to 1919. As it approaches present day, it gives significantly more detail on each event. This Web site is an excellent starting-point for research on the history of Afghanistan.

Timeline: Pakistan. (2009, May 7). Retrieved July 21, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/1156716.stm.

This Web site examines the creation of Pakistan and subsequent events, dating from 1906. It is regularly updated to include important current events. Similarly to the BBC's analysis of the timeline of Afghanistan, this Web site is an excellent starting point for historical research on Pakistan.

Townsend, M. & Hinsliff, G. (2009, August 30). Gordon Brown in new Afghan plan: Talk to the Taliban. *The Observer.* Retrieved October 1, 2009, from The Guardian Web site:

<http://www.guardian.co.uk/world/2009/aug/30/brown-afghanistan-troops-taliban-talks>.

This article discusses the British strategy of negotiating with more moderate elements of the Taliban. This is done in an effort to encourage less ideological members of the group to lay down their weapons and rejoin Afghan society. The article also briefly discusses the augmentation of British troops in Afghanistan.

Transparency International. (2008). *Global corruption report 2008: Corruption in the water sector*. Retrieved September 5, 2009, from Transparency International's Web site:
http://www.transparency.org/publications/gcr/gcr_2008.

This report by Transparency International discusses governmental corruption. It ranks Pakistan and Afghanistan as 138th and 172nd least corrupt, respectively. Among other information, it also discusses how the international community responds to corruption.

UK sends £50m more to Afghanistan. (2009, March 3). Retrieved October 1, 2009, from the BBC News Web site:
http://news.bbc.co.uk/2/hi/uk_news/7920533.stm.

As indicated by the title, this article focuses on the donation of £50,000,000 to Afghanistan, in an effort to improve infrastructure and create jobs in the Helmand province. The most interesting aspect of this article, however, is not a discussion of this funding. It, rather, is the suggestion by Douglas Alexander, International Development Secretary, that the best manner to counter the insurgency is to address policy. Such an assertion deserves attention and further research.

United Nations Assistance Mission in Afghanistan. (2009). *Background*. Retrieved August 14, 2009, from:
<http://unama.unmissions.org/Default.aspx?tabid=1743>.

A brief history of the UNAMA is provided on this Web site. It lists, and links to, documents which establish the UNAMA. This Web site gives excellent, but concise, information on UNAMA.

United Nations Assistance Mission in Afghanistan. (2009). *Mandate*. Retrieved August 14, 2009, from
<http://unama.unmissions.org/Default.aspx?tabid=1742>.

The UNAMA performs a vital role in the Afghanistan; this Web site explains this role and its importance. It also lists several key documents which will be very useful when researching post-2001 Afghanistan. This Web site is convenient when researching political efforts in the country.

United Nations Security Council. (1999, October 15). *Resolution 1267 (1999)*. Retrieved September 5, 2009, from the United Nations Web site.

This resolution demands, most notably, that the Taliban adhere to international conventions and resolutions regarding terrorist organizations and turn over Usama bin Laden. The resolution lays out two punishments which Member States will adopt in the event of non-adherence. It also establishes a committee which collects information regarding actions taken in response to this resolution.

United Nations Security Council. (2000, December 19). *Resolution 1333 (2000)*. Retrieved September 5, 2009, from the United Nations Web site.

Resolution 1333 demands that the Taliban comply with Resolution 1267 (1999). Specifically, it demands that the Taliban close all terrorist training camps and hand-over Usama bin Laden. It further requires Member States to impose sanctions upon the Taliban regime.

United Nations Security Council. (2001, September 28). *Resolution 1373 (2001)*. Retrieved September 5, 2009, from the United Nations Web site.

This resolution, drafted largely in response to the terrorist attacks of September 9, 2001, calls upon all Member States to diminish the capacity of terrorist organizations. The resolution goes into significant detail when describing action state should take. Resolution 1373 grants States the authority to take necessary actions to halt terrorism.

United Nations Security Council. (2001, December 20). *Resolution 1386 (2001)*. Retrieved September 5, 2009, from the United Nations Web site.

The Security Council formally establishes the International Security Assistance Force (ISAF) in this resolution. This resolution explains the purpose and duration of the ISAF and requests the support of Member States. It also specifically calls upon the Afghan people to cooperate with the ISAF and Afghan interim-government.

United Nations Security Council. (2008, December 12). *Report of the Security Council mission to Afghanistan, 21 to 28 November 2008 (S/2008/782)*. Retrieved September 5, 2009, from the United Nations Web site.
This report discusses the outcome of the November 2008 Security Council mission to Afghanistan. It examines several key issues, including: the security situation, the ISAF, governance, the Afghan police force, elections, regional cooperation, economic development, and humanitarian concerns. Although somewhat dated, this report is vital when examining the progress of the Afghan nation over time.

United Nations Security Council. 63rd year. (2008, September 23). *The situation in Afghanistan and its implications for international peace and security (S/2008/617)*. Retrieved September 5, 2009, from the United Nations Web site.
This report by the Secretary-General regarding Afghanistan suggests that the situation in Afghanistan is deteriorating. It suggests that terrorists' activities have become more aggressive and focused upon government and international officials. The report, however, does highlight gains made in the area, including concerning counternarcotics and elections.

United Nations Security Council. 64th year. (2009, June 23). *The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General (S/2009/323)*. Retrieved September 5, 2009 from, the United Nations Web site.
The presence and importance of UNAMA is focused upon within this report. The Secretary-General strongly emphasizes UNAMA's role in elections, security, development, governance, regional cooperation, and human rights in Afghanistan. He concludes with a number of observations which highlight the current needs of the Afghan State.

U.S. Department of Defense. (2002, May 22). *Fact sheet*. Retrieved August 14, 2009, from <http://www.defenselink.mil/news/May2002/d20020523cu.pdf>.
This Web site, produced by the Department of Defense's Office of Public Affairs, gives information regarding the coalition established for Operation Enduring Freedom and the War on Terror more broadly. It lists, in detail, contributions of U.S. allies. This fact sheet will prove very useful when exploring the contributions of specific Member States.

Weinbaum, M. G. & Harder, J. B. (2008, March). Pakistan's Afghan policies and their consequences. *Contemporary South Asia*, 16(1), 25-38. Retrieved August 8, 2009, from EBSCOhost Academic Search Premier database.
Weinbaum and Harder argue that Pakistan's Afghan policies have been counter-productive. Not only have they failed to illicit a positive result in Afghanistan, they have been detrimental the Pakistani State. This article also examines Pakistan's long-standing ambivalent relationship with Islamic extremism and its effect on Pakistan.

Who are the Taliban? (2009, June 18). Retrieved August 7, 2009, from BBC News Web site: http://news.bbc.co.uk/2/hi/south_asia/1549285.stm.
This article gives an in-depth analysis of the Taliban. It examines both the ethnic composure of the Taliban, as well as its history. The information listed on this Web site is vital in order to understand the Taliban.

Why unity is vital for Pakistan survival. (2009, June 20). Retrieved August 4, 2009, from BBC News Web site: http://news.bbc.co.uk/today/hi/today/newsid_8110000/8110562.stm.
This brief article describes, as titled, the importance of Pakistani unity in the face of Islamic militants. It suggests that Pakistani extremists no longer expect to gain political power but to make Pakistan increasingly unstable. The article concludes by reminding the reader that Pakistan's control of nuclear weapons makes Pakistan's stability a matter of international importance.

III. Combating Maritime Piracy

Aspen Publishers (Ed.). (2005, October 27). *Oil Spill Intelligence Report*.
This report gives a description of the protocols added to SUA in 2005. It discusses the amendments added and impetus behind them. It also describes the convention's amendment procedure.

Bevege, A. (2009, June 12). *NATO Warship Hunts Somali Pirates, Escorts Food Aid*. Retrieved September 2, 2009, from Reuters website: <http://www.reuters.com/article/latestCrisis/idUSL801321>
This is an in-depth account of how Portuguese Marines retrieved a vessel from pirates. It also talks about how piracy disrupts food aid and how that affects the lives of regular Somalis who depend on food aid. Delegates should look at this and other counter piracy operations and compare tactics of different actors in combating piracy.

Collins, R., & Hassan, D. (2009, January). Applications and Shortcomings of the Law of the Sea in Combating Piracy: A South East Asian Perspective. *Journal of Maritime Law & Commerce*, 40(1), 89-113.
This article provides in-depth narratives about how the Law of the Sea has developed in the past and its current inadequacies to address modern piracy. It also gives an overview of the piracy problem in Southeast Asia. Delegates are encouraged to focus on the introduction for background on Law of the Sea and section IV that provides evaluations of current anti-piracy agreements.

Coke, E. (1797). *The Third Part of the Institutes of the Laws of England: Concerning High Treason and Other Pleas of the Crown and Criminal Causes*. London: E. & R. Brooke.
Sir Edward Coke was an English jurist. He was the first to declare "Pirata est hostis humani generis" (a pirate is the common Enemy of Mankind). The expression is commonly cited.

Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988.
In 1988, the International Maritime Organization (IMO) adopted the SUA Convention, with the purpose "to ensure appropriate action is taken against persons committing unlawful acts against ships". Amongst the "unlawful acts" covered by the Convention are the seizure of ships; acts of violence against persons on board ships; and the placing of devices on board a ship that are likely to destroy or damage it. The full convention can be found at http://www.imo.org/Conventions/mainframe.asp?topic_id=259&doc_id=686.

Geneva Convention on the High Seas, April 29, 1958.
The Convention on the High Seas was the first international treaty to define piracy and outline the rights of States in combating it. The Convention on the High Seas establishes that "All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State" (Article 14). The convention can be found <http://fletcher.tufts.edu/multi/texts/BH364.txt>.

Jarvis, R. M. (2006, Spring). Maritime Piracy. *Insights on Law & Society*, 6(3).
This article gives a basic overview of "Universal Jurisdiction," and how it affects initiatives to combat maritime piracy. A few paragraphs in the article provide a history of where certain legal terms come from and how they are applied today. It is also another good source of background information on piracy in Southeast Asia.

Kraska, J., & Wilson, B. (2008, December). Piracy, Policy, and Law. *U.S. Naval Institute Proceedings*, 134(12).
This article discusses piracy from the perspective of the U.S. Navy. It is useful because it discusses how piracy could be confronted at the operational level as well as the legal level. Delegates are encouraged to focus on the section titled "Decisive U.S. Action," and research whether or not there is a role for the UN Security Council in any of the listed actions.

Kraska, J., & Wilson, B. (2008, Winter). Fighting pirates: The pen and the sword. *World Policy Journal*, 41-54.
This article focuses on both international and domestic laws dealing with maritime piracy. It discusses how the lack of law enforcement infrastructure in many East African countries makes it difficult to bring pirates to justice. Recommended sections from this article are "The Prison Problem" and "Models for Success."

Kraska, J., & Wilson, B. (2009, January). Piracy Repression, Partnering and the Law. *Journal of Maritime Law and Commerce*, 40(1), 43-60.
This article focuses on the piracy problem in the Gulf of Aden. It highlights recent successes of the international community in combating piracy but also discusses how expensive such efforts are. It also gives descriptions of several cooperation mechanisms utilized by governments and private industry to prevent pirate attacks.

Kraska, J., & Wilson, B. (2009, Spring). Maritime piracy in East Africa. *Journal of International Affairs*, 62(2), 55-70.

A must read article for understanding the cost of piracy in East Africa. It discusses the difficulties of enforcing international law in the Gulf of Aden due to the lack of a functioning government in Somalia. There is also a section about the International Maritime Organization and its role in addressing maritime piracy.

Martin, T. (2008, December). Drawing Lines in the Sea. *U.S. Naval Institute Proceedings*, 134(12).
This article is written from the perspective of the United States Navy. It discusses the increased difficulties for the United States in dealing small states since the end of the Cold War. It also highlights the goals of the United States in preventing illegal shipping of WMDs and related materials on the high seas.

Menkhaus, K. (2009, February/). Dangerous Waters. *Survival*, 51(1), 21-25.
This article gives a background on how piracy from Somalia evolved into what it is today. It describes the low risk nature of criminal activity in Somalia and tactics that the pirates use. Delegates should research the tactics of pirates and compare them to the tactics the international community uses to combat them.

Perils of the sea: Piracy of Somalia. (2009, April 18). *Economist*, 390(8627).
This article describes the difficulties in combating piracy in the Gulf of Aden and in the Indian Ocean. It also discusses the volume of commerce that goes through the Gulf of Aden and why it is important to international shipping. It also talks about the need for functioning government in Somalia as a necessity for combating Somali pirates.

Poulantzas, N. (2002). *The Right of Hot Pursuit in International Law* (2nd ed.). Norwell, MA: Kluwer Law International.
This book discusses hot pursuit for land, air, and sea. Delegates should research how maritime piracy affects their assigned country's interests and how hot pursuit has been used. Delegates should also research how maritime pirates operate in different regions to see if air and land pursuits would need to be incorporated into an effective counter-piracy strategy.

Shweigman, D. (2001). *The authority of the Security Council under Chapter VII of the UN Charter: Legal Limits and the Role of the International Court of Justice: Vol. 8. Studies and Settlement of International Disputes*. The Hague Netherlands: Kluwer Law International.
This book provides explanations about the authority of the Security Council. Chapter three contains several case study analyses about how and why the Security Council has used Chapter VII of the UN Charter. Recommended readings are chapter three and chapter four that deals with the legal issues of the Security Council's power.

Somali pirates release food aid ship. (n.d.). Retrieved September 2, 2009, from <http://www.cnn.com//W/somalia.pirates/.html?iref=newssearch>
This CNN article is an in-depth look at a single piracy operation and the response it. There are descriptions of other piracy incidents and responses as well. Delegates should take note of the coordination between navies of different countries trying to combat piracy.

Splashing, and clashing, in murky waters. (2009, August 22). *Economist*, 392(8645), 53-54.
The article discusses the response of private enterprise in east African waters. According to the article, private security firms and national navies are sometimes at odds with each other over how to best combat the pirates. Delegates should be aware of their state's position on this issue.

United Nations. Secretary-General. (March 16, 2009). *Report of the Secretary-General pursuant to Security Council resolution 1846 (S/2009/146)*.
In 2009, the Secretary-General produced a report for the Security Council on piracy off Somalia. It includes an overview of the current situation. There is also a description of how it has affected the WFP's aid shipments.

United Nations. (2008, June 2). *Security Council Resolution 1816 (2008)*. Retrieved from <http://daccessdds.un.org//W/.pdf?OpenElement>
When studying this resolution keep in mind how the Security Council cites UNCLOS as the primary international law body for addressing piracy. It calls upon states to cooperate but gives no specific recommendations how. Delegates should also study other resolutions and documents cited in it.

United Nations. (2008, October 7). *Security Council Resolution 1838 (2008)*. Retrieved September 5, 2009, from http://www.un.org//_resolutions08.htm

This resolution stresses the need to protect maritime convoys of the WFP. It also highlights the cooperation of Somalia's Transitional Federal Government. It also entertains the idea of having the Secretary General look into the feasibility of a UN stabilization force in Somalia. Delegates should follow all sides of the debate on sending UN forces to Somalia and how that could effect maritime piracy.

United Nations. (2008, December 16). *Security Council Resolution 1851 (2008)*. Retrieved September 8, 2009, from http://www.un.org//_resolutions08.htm

In this resolution the Security Council cites UNCLOS but also UNDOC and SUA. Delegates should compare UNCLOS and SUA and research the position of their assigned country as to whether UNCLOS or SUA have the better provisions for dealing with modern piracy. Delegates should also research the previous resolutions cited that deal with arms embargo against Somalia from the previous decade.

United Nations Office on Drugs and Crime (UNODC). (2009, January 20). *Shipriders: tackling Somali pirates at sea*. Retrieved October 2, 2009, from <http://www.unodc.org/unodc/en/frontpage/ship-riders-tackling-somali-pirates-at-sea.html>

This web page gives a description where the ship riders program came from and how it could apply to the current maritime piracy problem. Delegates should research about their state's experience with any previous ship riders programs and the perception of their successes. Because the program was suggested by the UNODC, delegates should know their state's level of involvement with that organization and their level of support for the United Nations Convention against Transnational Organized Crime (UNTOC).

Voice of America News. (2009, January 30). *Nine countries sign agreements to combat Africa Piracy*. Retrieved September 3, 2009, from <http://www.voanews.com//A-01/2009-01-30-voa33.cfm?CFID=292835015&CFTOKEN=53154727&jsessionId=663015a2e4f0b5a52275346a65f593e3d3d2>

Delegates are highly encouraged to study the Djibouti Code of Conduct. It deals with cross border legal issues in the region and sets standards of cooperation for its signatories. Delegates should also look at similar agreements in other regions and compare and contrast them.

Wrong signals. (2009, May 9). *Economist*, 391(8630), 62.

This article is about international laws related to piracy and its effect on countering pirates operating off the coast of Somalia. It discusses the conflict between international law, which allows navies broad power to arrest suspected pirates, and national laws that are more restrictive. Delegates should be aware of their state's national laws related to piracy and whether they are more or less restrictive than provisions on international law.

United Nations Security Council

Rules of Procedure

Introduction

1. These rules shall be the only rules which apply to the Security Council (hereinafter, referred to as “the Council”) and shall be considered adopted by the Council prior to its first meeting.
2. For purposes of these rules, the Security Council Director, the Assistant Director(s), the Under-Secretaries- General, and the Assistant Secretaries-General are designates and agents of the Secretary-General and Director-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Director-General or her/his or her designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations, and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson, or acting chairperson of the Council.

I. MEETINGS

Rule 1

Meetings of the Security Council shall, with the exception of the periodic meetings referred to in rule 4, be held at the call of the President any time he or she deems necessary.

Rule 2

The President shall call a meeting of the Security Council at the request of any member of the Council.

Rule 3

The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter, or if the General Assembly makes recommendations or refers any question to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.

Rule 4

Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held once a year, at such times as the Security Council may decide.

Rule 5

Meetings of the Security Council shall normally be held at the seat of the United Nations. Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place and the period during which the Council shall meet at such place.

II. AGENDA

Rule 6

The Secretary-General shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.

Rule 7

The provisional agenda for each meeting of the Security Council shall be drawn up by the Secretary-General and approved by the President of the Security Council. Only items which have been brought to the attention of the representatives of the Security Council in accordance with rule 6, items covered by rule 10, or matters which the Security Council had previously decided to defer, may be included in the provisional agenda.

Rule 8

The provisional agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 9

The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda.

Rule 10

Any item of the agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless the Security Council otherwise decides, automatically be included in the agenda of the next meeting.

Rule 11

The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement on matters of which the Security Council is seized and of the stage reached in their consideration.

Rule 12

The provisional agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before opening of the meeting. Any subsequent change in or addition to the provisional agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the agenda at any time during a periodic meeting. The provisions of rule 7, paragraph one, and of rule 9, shall apply also to periodic meetings.

III. REPRESENTATION AND CREDENTIALS

Rule 13

Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative of the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he or she takes her/his seat on the Security Council. The credentials shall be issued either by the Head of State or of the Government concerned or by its Minister of Foreign Affairs. The Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.

Rule 14

Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the meeting, which he or she is invited to attend.

Rule 15

The credentials of representatives on the Security Council and of any representative appointed in accordance with rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval.

Rule 16

Pending the approval of the credentials of a representative on the Security Council in accordance with rule 15, such representatives shall be seated provisionally with the same rights as other representatives.

Rule 17

Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.

IV. PRESIDENCY

Rule 18

The Presidency of the Security Council shall be held in turn by the members of the Security Council in the English alphabetical order of their names. Each President shall hold office for one calendar month.

Rule 19

The President shall preside over the meetings of the Security Council and, under the authority of the Security Council, shall represent it in its capacity as an organ of the United Nations.

Rule 20

Whenever the President of the Security Council deems that for the proper fulfillment of the responsibilities of the presidency he or she should not preside over the Council during the consideration of a particular question with which the member he represents is directly connected, he or she shall indicate her/ his decision to the Council. The presidential chair shall then devolve, for the purpose of the consideration of that question, on the representative of the member next in English alphabetical order, it being understood that the provisions of this rule shall apply to the representatives on the Security Council called upon successively to preside. This rule shall not affect the representative capacity of the President as stated in rule 19 or her/his duties under rule 7.

V. SECRETARIAT

Rule 21

The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.

Rule 22

The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements to the Security Council concerning any question under consideration by it.

Rule 23

The Secretary-General may be appointed by the Security Council, in accordance with rule 28, as rapporteur for a specified question.

Rule 24

The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.

Rule 25

The Secretary-General shall give to representatives on the Security Council notice of meetings of the Security Council and of its commissions and committees.

Rule 26

The Secretary-General shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.

VI. CONDUCT OF BUSINESS

Rule 27

The President shall call upon representatives in the order in which they signify their desire to speak.

Rule 28

The Security Council may appoint a commission or committee or a rapporteur for a specified question.

Rule 29

The President may accord precedence to any rapporteur appointed by the Security Council. The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.

Rule 30

If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.

Rule 31

Proposed resolutions, amendments, and substantive motions shall normally be placed before the representatives in writing.

For purposes of this rule, all "proposals" shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Council by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Council. These draft resolutions are the collective property of the Council and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.

Rule 32

Principal motions and draft resolutions shall have precedence in the order of their submission. Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

Rule 33

The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:

1. To suspend the meeting;
2. To adjourn the meeting;
3. To adjourn the meeting to a certain day or hour;
4. To refer any matter to a committee, to the Secretary-General or to a rapporteur;
5. To postpone discussion of the question to a certain day or indefinitely; or
6. To introduce an amendment.

Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.

As the motion to adjourn the meeting, if successful, would end the meeting until the Council's next regularly scheduled meeting the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Council.

Rule 34

It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.

Rule 35

A motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it.

Rule 36

If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.

Rule 37

Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.

If the Council considers that the presence of a Member invited according to this rule is no longer necessary, it may withdraw the invitation again. Delegates invited to the Council according to this rule should also keep in mind their role and obligations in the committee that they were originally assigned to. For educational purposes of the NMUN Conference, the Secretariat may thus ask a delegate to return to his or her committee when his or her presence in the Council is no longer required.

Rule 38

Any Member of the United Nations invited in accordance with the preceding rule, or in application of Article 32 of the Charter, to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative of the Security Council.

Rule 39

The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.

VII. VOTING

Rule 40

Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.

VIII. LANGUAGE

Rule 41

English shall be the official and working language of the Security Council.

Rule 42

Any representative may make a speech in a language other than the language of the Security Council. In this case, he or she shall herself/himself provide for interpretation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in

a language other than English. As such, both the speech and the interpretation must be within the set time limit.

Rule 43

Verbatim records of meetings of the Security Council shall be drawn up in the language of the Council.

Rule 44

All resolutions and other documents shall be published in the language of the Security Council.

Rule 45

Documents of the Security Council shall, if the Security Council so decides be published in any language other than the language of the Council.

IX. PUBLICITY OF MEETINGS, RECORDS

Rule 46

Unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the General Assembly regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting.

Rule 47

Subject to the provisions of rule 51, the verbatim record of each meeting of the Security Council shall be made available to representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10:00 a.m. of the first working day following the meeting.

Rule 48

The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record.

Rule 49

The Security Council may decide that for a private meeting the record shall be made in single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record.

Rule 50

Corrections that have been requested shall be considered approved unless the President is of the opinion that they are sufficiently important to be submitted to the representatives of the Security Council. In the latter case, the representatives on the Security Council shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.

Rule 51

The verbatim record referred to in rule 49 or the record referred to in rule 51, in which no corrections have been requested in the period of time required by rules 50 and 51, respectively, or which has been corrected in accordance with the provisions of rule 52, shall be considered as approved. It shall be signed by the President and shall become the official record of the Security Council.

Rule 52

The official record of public meetings of the Security Council, as well as the documents annexed thereto, shall be published in the official language of the Council as soon as possible.

Rule 53

At the close of each private meeting the Security Council shall issue a *communiqué* through the Secretary-

General.

Rule 54

The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this record to authorized representatives of other Members of the United Nations.

Rule 55

The Secretary-General shall, once each year, submit to the Security Council a list of the records and documents which up to that time have been considered confidential. The Security Council shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.

X. RELATIONS WITH OTHER UNITED NATIONS ORGANS

Rule 56

Any meeting of the Security Council held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority vote.