Forum: Disarmament and International Security

Issue of: Expanding the Treaty on the Prohibition of Nuclear Weapons of 2020 to assure global

peace and security.

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I. Introduction

Nuclear weapons are weapons of mass destruction that are designed to explosively release energy. The process to release this energy in such a matter that it explodes is divided into "fission weapons", which

are commonly called "atomic bombs", or "fusion weapons", which are commonly called "hydrogen bombs".

The effects of these nuclear weapons are highly destructive to the environment, and their usage results in devastating loss of human life. In terms of warfare, the most devastating of nuclear weapons - atomic bombs - were only used twice, and only during the second World War, when the United States of America bombed Japan in 1945. While there are no exact numbers of the amount of deaths, it is estimated that approximately 140,000 of Hiroshima's population of 350,000 were killed in the blast, and that a minimum of 74,000 died in the blast in Nagasaki. The effects of nuclear weapons are long-term and catastrophic.

When a nuclear bomb is used, the impacts on human life comes in four different stages: firstly, the initial blast ruptures eardrums, lungs, as well as hurling humans at immensely high speeds. The initial blast also causes the collapsing of buildings, as well as flying debris, which are two of the leading casualties in the "blast radius". The blast radius is the most certain killer - the strength and effects of the blast as well as the immense heat produced, which is enough to vaporise human tissue, sees to it there are virtually no survivors. Secondly there is thermal radiation - the intense pulse of heat and thermal radiation produced by the blast starts fires, and burns and can melt skin. Thirdly, the initial radiation floating around the blast zone as well as the surrounding area causes radiation sickness as well as eventual death in a short amount of time. Besides that, massive uptakes of radiation can develop into aggressive cancers later on, cataracts, as well as a significant increase in non-cancer diseases.

Radioactive dust is a catastrophic effect on the environment. It falls out of the sky around the explosion site, but is carried beyond that by natural elements such as water (through rivers, for example) and the wind. This leads to the contamination of a larger space in the ground, water supplies and food chain, as well as plants and animals. In both animals and humans, genetic mutations can occur in the offspring that follow after.

The effects of the first three results following a nuclear weapon (initial blast, thermal radiation and initial radiation) are seen within moments after the detonation. Delayed effects like the spreading of the nuclear fallout, development of illnesses or genetic defects, as well as the contamination of the environment, to name a few, can inflict damage over an extended period that can last for multiple years.

Due to the destructive nature of the nuclear weapon - its ability to wipe out entire cities, its long-term environmental and health effects -, the United Nations saw it as crucial to manage these weapons, in order

to mitigate their effects and ownership. This led to a range of solutions proposed and implemented by various UN Member States.

II. Defining key terms

A. Nuclear weapons:

There is no formal definition of a "nuclear weapon" from the United Nations, but its effects and risks are realized by every Member State and acknowledged in many conferences, comments and documents. Nuclear weapons are generally defined as *a bomb or missile that uses nuclear energy to cause an explosion*. Nuclear weapons, as mentioned previously, come as two types: fission bombs (atomic bombs), and fusion bombs (hydrogen bombs). Both of these produce quick, explosive reactions in the span of seconds, although the fusion bombs have higher destructive capabilities. Formally, nuclear weapons were only used during World War II on Japan, causing thousands of casualties in Hiroshima and Nagasaki.

B. Disarmament:

Disarmament, as defined in the scenario concerning nuclear weapons, is the process of reducing the amount of nuclear weapons with the intent of eliminating them. The process of disarmament is gradual, and international treaties such as the Non-Proliferation Treaty (NPT), which aims to prevent any further spread of nuclear weapons and achieve nuclear disarmament, play a crucial role.

C. Regional Nuclear-Weapon-Free Zones (NWFZ):

Nuclear Weapon-Free Zones are geographical areas in which nuclear weapons may not be built, transferred to, held, tested or deployed according to international law. These zones are in force in South America and the Caribbean, Southeast Asia, the South Pacific, Africa, Central Asia, and Mongolia. Besides this, more than 110 countries have ratified NWFZ treaties.

III. An overview (of the TPNW)

In 2017, the United Nations' General Assembly began negotiating a document with the aim of eliminating nuclear weapons completely, starting first with prohibition. Besides member states, other international organizations as well as civil society representatives were invited and encouraged to take part in the Conference. The Treaty itself prohibits any participation relating to nuclear weapon activities - such as

development, testing, production, acquiring, possessing or stockpiling them. The actual use of nuclear weapons as well as threats to use them are prohibited also. Besides this, the TPNW prohibits deploying nuclear weapons on national territory, as well as assisting any other States in performing any of the actions that the Treaty directly prohibits. When and if States do, or have, tested nuclear weapons, they are obliged to assist any individuals affected by this, as well as ensuring that contaminated environments are remedied appropriately. The States which have signed the TPNW are obliged to ensure that all activities which are prohibited in this Treaty are barred from occurring on any of the territories which are under their jurisdiction.

The Treaty opens with preambulatory clauses, which mostly acknowledge the ethics involved in nuclear weapons, as well as their disastrous effects, and includes 20 Articles in full. The first Article, "Prohibitions", outlines the prohibitions concerning the creation and usage surrounding nuclear weapons. This being, for example, the development, transferring, threatening to use, or usage of, nuclear weapons. Article number two makes Member States who have signed to submit a declaration to the Secretary-General of the United Nations, where said State declares any previous or current ownership of nuclear weapons, as well the elimination of its nuclear-weapon programme. In the third Article, the nuclear safeguards are outlined, based on the fourth Article, which is about the total elimination of nuclear weapons. This essentially calls for the elimination of nuclear weapons programmes, safeguards that follow the IAEA standards (based upon individual agreements with them), removing nuclear weapons from operational statuses and destroying these, and the removal of nuclear weapons present in a State's territory which are owned by another State. These actions will be done in agreed-upon timeframes by the State and the UN, or are already outlined in the Treaty.

Article 5 briefly outlines the national implementation of the Treaty, and, in the next article, outlines victim assistance as well as environmental remediation, ensuring this is done without discrimination and according to international humanitarian and human rights law. For example, a nod to the *hibakusha* of Japan (those who survived the Hiroshima and Nagasaki blasts in 1945), as well as the atomic veterans (active duty soldiers who were exposed to nuclear explosion sites during nuclear weapons tests). Articles 7 through 8 outline the need for international cooperation and assistance, as well as further meetings on the TPNW concerning matters such as the application as well as implementations of it. Article 9 cements the costs of the Conferences as well as extraordinary meetings (outlined in article 8) being beared by the State Parties who signed the Treaty, according to the UN scale of assessment - adjusted as appropriate. It further goes on to state that the costs which are related to the "implementation of verification measures"

required under Article 4 as well as the costs related to the destruction of nuclear weapons or other nuclear devices ... should be borne by the States Parties to which they apply.".

The TPNW leaves room for improvement, and Article 10 concerns itself with how amendments to the Treaty should be proposed - it should be sent to the Secretary-General of the UN, who sends it to all State Parties and "seek their views on whether to consider the proposal". If a majority notifies the Secretary-General within 90 days that they would like to further consider it, it will be considered and brought up in the next meeting or Conference (depending on which comes first). Amendments must receive a positive vote of a majority (of two thirds of States Parties). If amendments are accepted and adopted, then it will enter into force for all State Parties following its ratification or acceptance after 90 days.

The 11th Article deals with disputes between two, or more, States Parties. If a dispute about the interpretation or application occurs, then the parties concerned will meet with one another and aim to reach a settlement via negotiations or other peaceful means (following the Charter of the UN). The next 9 Articles deal with the implementation of the Treaty - encouraging non-Party States to sign and ratify (12), when it opens for signature (13), the ratification, acceptance, approval or accession (14), when the Treaty enters into force (90 days after the 50th ratification, acceptance ... has been deposited, as outlined in 15), the Articles not being subject to any reservations (16). In Article 17, it is determined that the Treaty will be of unlimited duration, and that each State Party has the right to withdraw from the Treaty with notice, which included a statement of the "extraordinary events" which lead to the jeopardizing of the State's supreme interests. Withdrawing from the Treaty will take effect 12 months after the notification of said withdrawal - unless the State Party is, or becomes, involved with an armed conflict. If this is the case, the State Party will be bound by the Treaty's obligations until it becomes uninvolved with said conflict.

Despite criticism that the TPNW may be undermining the NPT, Article 18 states that the implementation of the TPNW does not overshadow any obligations previously undertaken by State Parties (in regards to other international agreements, such as the NPT). The last two articles, 19 and 20, deal with designating the Secretary-General of the UN as the Depositary of the TPNW as well as verifying that the Arabic, Chinese, English, French, Russian and Spanish versions of the Treaty are authentic and true.

IV. The Timeline

July 17, 1945: the world sees its first nuclear weapons explosion in the United States (the Trinity

Test)

August 6, 1945: the United States drops an atomic bomb in Hiroshima

August 9, 1945: the United States drops a second atomic bomb, but this time in Nagasaki

August 29, 1949: Russia tests its first nuclear weapon

October 3, 1952: the United Kingdom tests its first nuclear weapon February 13, 1960: France successfully tests its first nuclear weapon

October, 1964: China successfully tests its first nuclear weapon

July 1, 1968: the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is signed

with the NPT, the 5 Nuclear Weapon States are formally recognized: The United

States, the United Kingdom, Russia, China and France

March 5, 1970: the NPT goes into force

June 23, 1994: the DPRK withdraws from the International Atomic Energy Agency after the IAEA

detected discrepancies in their reports 2 years prior

January, 2003: North Korea withdraws from the NPT

June 2010: at the 2010 NPT Review Conference, advocates for disarmament first start bringing

up the idea for governments to come together to create a treaty which "(bans) the

use, production, transfer and stockpiling of nuclear weapons"

April 2, 2015: a working paper is submitted by the New Agenda Coalition (countries consisting of

Brazil, Egypt, Ireland, Mexico, New Zealand and South Africa) which concretely outlines the need for a concise, clear, legally-binding solution to the nuclear

weapons stockpile

2016: in Geneva, working group meetings discussed strategies on increasing the speed of

nuclear disarmament. Advocates for nuclear weapons bans were successful, and so Member States voted to adopt a final report which recommended the UNGA to hold

a conference in 2017 on the prohibition of nuclear weapons.

October 17, 2016: UNGA's First Committee adopted a resolution "to convene negotiations on a nuclear

weapons ban in 2017" - this would end up being the Treaty on the Prohibition of

Nuclear Weapons (TPNW)

December 23, 2016: the resolution adopted by UNGA in October was approved, kickstarting

negotiations

March 27-31, 2017: first part of the opening negotiations on a nuclear disarmament treaty

June 15, 2017: the second part of the opening negotiations begin

July 7, 2017: the second, and final, part of the opening negotiations end, and the Treaty was

adopted

October 24, 2020: the final ratification needed to officially enter the TPNW into force happens

January 22, 2021: the TPNW enters into force, as required to ("90 days after depositing of the fiftieth

instrument of ratification")

V. Major parties involved

A. International Campaign to Abolish Nuclear Weapons (ICAN)

The International Campaign to Abolish Nuclear Weapons, which will be referred to as "ICAN" throughout the rest of the research paper, is a coalition of Non-Governmental Organizations (NGOs). Besides NGOs, it works with like-minded governments to try and work towards eliminating nuclear weapons. The coalition served as the civil society coordinator for the three major conferences in 2013 and 2014 on nuclear weapons and its impacts on the environment and the general populace. ICAN played a role in garnering the support of approximately 130 countries to pledge to "fill the gap in the existing legal regime governing nuclear weapons". Working alongside governments during conferences, ICAN helped campaign for the establishment of a special UN working group which was to examine proposals concerning advancing nuclear disarmament. ICAN's aim is to completely eliminate nuclear weapons, and works towards complete disarmament.

B. New Agenda Coalition (NAC)

The New Agenda Coalition (NAC) was established on June 9th, in 1998. It has 6 members as of May 2015: Brazil, Egypt, Ireland, Mexico, New Zealand and South Africa. This geographically diverse group of middle power countries formed NAC as a response to a continued divide between Nuclear Weapon States (NWS) and Non-Nuclear Weapon States (NNWS) during negotiations which seeked to extend the NPT. The issues stemmed from the non-nuclear weapon states' beliefs that the NWS were not upholding certain NPT commitments in a meaningful way, meaning that there was no sufficient reason to extend the NPT. The NAC submitted a joint declaration, which outlined the UN's new agenda on the topic of nuclear disarmament. In 2020, the NAC is a group of states that works within the framework of the NPT, and prioritize themselves with building international consensus on how to handle nuclear disarmament (which is legally called for in the NPT).

C. International Atomic Energy Agency (IAEA)

The International Atomic Energy Agency (IAEA) is an independent, international organisation within the United Nations. It is the global focal point for nuclear cooperation, and assists UN Member States with any concerns, purposes and developments surrounding nuclear energy, such as electricity generation. Besides this, the IAEA is responsible for developing the standards on nuclear safety, and is an avid promoter and advocator of nuclear disarmament. As outlined in the NPT, the IAEA is responsible for ensuring that each Member State (who ratified the NPT) is upholding their nuclear safeguards, as well as other clauses outlined in the Treaty, such as ensuring that nuclear materials as well as nuclear facilities are only used for peaceful purposes.

VI. Previous solutions

a. UN Disarmament Commission (UNDC)

The United Nations Disarmament Commission was formally formed in 1978, succeeding a variety of temporary committees and conferences. As a subsidiary organ of the General Assembly, the UNDC includes all UN Member States, created to heed considerations and make recommendations on any issues concerning disarmament. One of its further tasks is to follow up on relevant decisions made during the sessions, as well as recommendations. In order to consider these issues and implications in depth, it was decided that the UNDC's agenda should be limited to a maximum of four items in 1989. Since 2000, it was decided that the UNDC's agenda will normally include two items per year, each ranging from a variety of disarmament issues - including one of nuclear disarmament. As far as leadership is concerned, the five geographical groups take turns assuming the chairmanship of the UNDC each session, which occurs in the spring for three weeks. Over the years since its creation, the commission has come up with guidelines, recommendations and consensus principles - all which were endorsed by the General Assembly.

b. Relevant UN Documents

Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is an international treaty that aims to prevent the further spread of nuclear weapons as well as weapons technology, in order to promote cooperation and the peaceful use of nuclear energy. The Treaty also hopes to achieve total disarmament alongside complete nuclear disarmament. The NPT establishes "a safeguards system under the responsibility of the International Atomic Energy Agency (IAEA)", which are conducted by the IAEA to

ensure compliance with these safeguards. It furthermore advocates for cooperation between Member States on, and equal access to, peaceful nuclear technologies. It is joined by 191 States - including the 5 nuclear-weapon States.

Comprehensive Nuclear-Test Ban Treaty (CTBT)

The Comprehensive Nuclear-Test Ban Treaty (CTBT) is a Treaty which bans all nuclear explosions by all Member States anywhere. The CTBT curbs the development of new nuclear weapons by States, as well as the improvement of already existing designs for nuclear weapons. It provides a legally binding solution against nuclear testing, and further prevents human suffering as well as environmental destruction at the hands of nuclear weapon tests. However, it has not entered into force yet, as it still relies on 9 Member States left to sign and ratify the Treaty - China, the Democratic People's Republic of Korea, Egypt, India, Indonesia, Iran, Israel, Pakistan and the United States.

VII. Possible and proposed solutions

A. Increased Transparency

Reasons cited for the possession of nuclear weapons are often issues surrounding national security. For example, Pakistan holds nuclear weapons in response to India's possession of them. Increasing transparency on domestic policies concerning nuclear weapons and arsenals, can lead to increasing cooperation between States and making it easier to discuss any further steps leading towards eventual, complete nuclear disarmament. Transparency is a measure which builds a confident, honest relationship between States, and can further encourage more constructive talks and debates.

B. Complete Ratification of the TPNW

As of yet, many Member States have not ratified or become signatory to the TPNW. Currently, there are 86 signatories and 54 States Parties. Without complete, international ratification - and therefore, implementation - of the TPNW, it will not be able to achieve its aims properly or in a way that is beneficial to all Member States: decreasing the nuclear threat and eventual complete nuclear disarmament. By all Member States signing the TPNW, the risk of a nuclear weapon being deployed via a miscalculation, an error or by intent is reduced, as seen by the Article outlining the requirement that all nuclear weapons must be taken off of a "high alert" status. In order to ensure that all Nuclear Weapon States, as well as their allies, are pleased and feel safe with participating in the TPNW, meetings should be held between Member States who have ratified or a signatories to the TPNW and Member States who

have not, in order to work out grievances and work together on amendment proposals which non-signatories and non-ratifiers would be pleased to accept. If large swathes of allies of the NWS have signed the TPNW - or just generally, the majority of the world - then the NWS would be more inclined to ratify it themselves. Grievances and issues, such as those surrounding clarity of the safeguarding as well as assurance that States Parties are actually disarming their nuclear weapons and abandoning their nuclear weapons programmes, should be addressed as well as conflicts (such as Pakistan and India) that lead to the holding of nuclear weapons.

VIII. Questions to Consider

- 1. Does the country you are representing hold nuclear weapons? If so, how many?
- 2. Is your country surrounded by conflict areas?
- 3. Is your country currently in a conflict that it deems viable enough to stockpile nuclear weapons?
- 4. What treaties has your country signed on the topic concerning nuclear weapons? Have they left any, and, if so, what was the reason?
- 5. What is your country's general policy on the usage of nuclear weapons? Do they have them for strategic, offensive or defensive purposes?
- 6. How does your country envision the process of nuclear disarmament?
- 7. If your country holds nuclear weapons why? And why won't you give it up?
- 8. Does your country belong to a military alliance which holds nuclear weapons?
- 9. What assurances would your country need to give up nuclear weapons?

A. Other Sources

https://www.un.org/en/chronicle/article/nuclear-weapons-free-world-it-achievable - a reading on if a nuclear weapons free world is achievable, from the Deputy Permanent Representative of Mexico to the UN.

https://www.un.org/disarmament/wmd/nuclear/tpnw/#:~:text=The%20Treaty%20on%20the%20Prohibition_threaten%20to%20use%20nuclear%20weapons - in depth background and overview of the TPNW, as well as a link to the Treaty text.

<u>https://www.icanw.org/nuclear_weapons_history</u> - a more detailed and internationally-oriented history of nuclear weapons and their involvement in global politics.

https://www.nti.org/analysis/reports/nuclear-disarmament/ - report on nuclear disarmament by the NTI - history, treaties, etc.

IX. To conclude

Nuclear disarmament is an issue that has been up to debate for many years since the initial development and usage of nuclear weapons. It is clear, through policies and UN Documents, as well as regional and interstate agreements, that this issue cannot be solved by States acting individually. Rather, it is a combination of the cooperation and transparency between Member States, and the implementation of relevant and accurate domestic policies in individual States. The power that nuclear weapons hold only leads to tensions between Member States, especially between those who already have a fragile relationship. Minor mistakes such as technology errors leading to the deployment of a nuclear weapon, or safeguards not being properly upheld, can break the international order, breaking global peace and security. It is with these reasons - the effects on life and environment, as well as global peace and security - that it is vital that the General Assembly expands on the Treaty on the Prohibition of Nuclear Weapons of 2021, in order to ensure that global peace and security is upheld.

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