



GerMUN|2010
German Model United Nations

United Nations Security Council

Background Guide

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Europäische Jugendbildungs- und Begegnungsstätte in Weimar

I. The Situation in Somalia

This background guide shall provide the participants of the 2010 GerMUN with some basic information on the Situation in Somalia. While the recent development and especially the issues of piracy and terrorism are vastly covered by most major media, the historical background is essential to the understanding of this conflict. This background guide thus focuses on the (failed) UN missions during the 1990s as before any new mission shall be created, the lessons learned during the first UN engagement must be considered.

At the beginning of the year 2009, with the withdrawal of the Ethiopians, it seemed as Somalia finally made a step to a better future. However, after the new Transitional Federal Government (TFG) under Sheik Sharif Sheik Ahmed taking its seat in Mogadishu, protected by a AU peacekeeping force, today's situation in Somalia still gives very few reasons for optimism. After more than 18 years of inner state conflict, Somalia can not only be regarded as worlds #1 failed state,¹ but also as the world's only collapsed state.²

Today's Somalia is more or less divided in three parts: Somaliland, a region of relative stability heading for independence, but unrecognized by the international community;³ Puntland, a semi autonomous region which functions as the main operation base for Somalia's notorious pirates,⁴ and the especially war-torn South Somalia with its capital Mogadishu, controlled by different clans and militias, the AU-backed FTG and especially the radical Islamist al Shabaab ("the youth") militia.⁵

Roots of the conflict in Somalia: The war in Ogaden, the State failure and the Clan System

The conflict in Somalia dates back to the 1970s when dictator Siad Barré launched a war to conquer the Ethiopian-administered Ogaden region, which is mainly inhabited by a Somali population. Before the war Barré actively supported Somali insurgency groups inside Ogaden; but it was only in July 1977 when he launched a large-scale war in order to fulfill his idea of a greater Somalia. Early victories followed, mainly due to superior equipment and training of its troops and a civil population regarding the Somali troops with favour if not supporting them actively - and Ethiopia being weakened by rebellions in other parts of the country and a regime change. Due to this, the Soviet Union switched sides by supporting the Ethiopians with equipment, as well as military and intelligence advisors of their proxies, particularly Cuba. In January 1978, the tide switched and the outnumbered Somali army was driven out of Ogaden.⁶ The war had devastating effects on Somalia. More than 700.000 refugees fled from the Ogaden region to the already poor country. With a worsening economic crisis and declining food production, Somalia was unable to feed the refugees and was dependent on international help.⁷ Furthermore, Barrés legitimation was badly harmed and soon Ethiopian-backed rebels claimed his position. With the creation of the Somali Salvation Democratic Front (SSDF) in 1979, the Somali civil war was under way massively. The conflict further escalated. However, it was not until 1991 that Barré, who after the end of the Cold war also lost the financial assistance of the United States, was driven out of Mogadishu.⁸ The conflict between the Christian governed Ethiopia and Muslim Somalia is still present today. While Ethiopia always sees Somalia as a potential aggressor trying to fuel unrest in the Ogaden province and to ultimately create a greater Somalia, the Somalis are suspicious about the hegemonial power at the Horn. This situation is further abused by Ethiopia's arch enemy Eritrea, which is actively supporting all groups fighting against Ethiopia and its real or intended proxies.⁹

In addition, the conflict has various internal roots. Most prominently is the very strong clan system. Although the Somalis are, unlike in many other African countries, a rather homogenous people - speaking the same language (Somali), believing in Sunni Islam and having more or less the same culture - today's Somali society is deeply split between the six major clans Darod, Hawiye, Dir, Isaaq and Rahanweyn with their various sub clans and families, struggling for a dominating position in the political and economic sphere.¹⁰

The first UN involvement in Somalia – UNISOM, UNITAF and Operation Restore Hope

The United Nations first dealt with the situation in Somalia in 1988, when the UN General Assembly adopted Resolutions A/RES/43/206, being followed by A/RES/44/178 in 1989, A/RES/45/229 in 1990 and A/RES/46/176 in 1991, all calling for an increase of humanitarian help facing the upcoming famine.

¹ The Found for Peace: Failed State Index 2009, http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=99&Itemid=323; accessed February 09. 2010.

² Dehez, Dustin: Die Vereinten Nationen in Somalia, in: Vereinte Nationen, 57, 3/2009, p.117.

³ Seth, Kaplan: the remarkable story of Somaliland, in: Journal of Democracy, 19, 3/2008, p. 143.

⁴ International Crisis Group: Africa Briefing N°64: Somalia: The Trouble with Puntland, Nairobi/Brussels, 12 August 2009,

http://www.crisisgroup.org/library/documents/africa/horn_of_africa/b64_somalia_the_trouble_with_puntland.pdf; accessed February 10. 2010.

⁵ Ban, Ki Moon: Report of the Secretary General on the situation in Somalia, S/2009/684, New York 2010, p. 4.

⁶ Tareke, Gerbu: The Ethiopia-Somalia War of 1977 Revisited, [The International Journal of African Historical Studies](#), Vol. 33, No. 3 (2000), pp. 635-667, p. 639 et seqq.

⁷ Bartl, Jürgen: Die humanitäre Intervention durch den Sicherheitsrat der Vereinten Nationen im "Failed State". Das Beispiel Somalia, Frankfurt am Main 1999, p. 32 seqq.

⁸ Ibid p. 34 seqq.

⁹ Abbink, John: Ethiopia-Eritrea: Proxy Wars and Prospects of Peace in the Horn of Africa, in: Journal of Contemporary African Studies, 21, 3, September 2003.

¹⁰ Hohne, Markus Virgil: Somalia zwischen Krieg und Frieden, Strategien der friedlichen Konfliktaustragung auf internationaler und lokaler Ebene, Hamburg 2002, p. 103 seqq.

Since January 1992, the UN tried to negotiate between the Somali conflict parties leading to a truce in February 1992. As the humanitarian situation in Somalia was still worsening with a devastating famine in South Somalia since 1991, the UN Security Council adopted S/RES/733 (1992), calling for a ceasefire and establishing an (toothless as uncontrolled) arms embargo according to chapter VII.

To control the ceasefire, promoted by Secretary-General Boutros Boutros Ghali,¹¹ the Security Council established the UNOSOM (United Nation Operation in Somalia) through S/RES/746 (1992) and S/RES/751 (1992). The first of the 50 men of this observing mission did not arrive in Somalia until July 1992, as the approval of the different Somali fractions was still pending.

Facing the devastating famine looming since 1991, the United States, France and Germany launched Operation Provide Relief, an operation to airlift humanitarian aid into Somalia established by S/RES/775 (1992) in August 1992, shortly after General Aidid and Ali Mahdi agreed in the 500 men peacekeeping force that was already established in S/RES/751. As the peacekeeping force proved to be insufficient, the Security Council increased the mandate to 3500 blue helmets on August 28.¹²

These peacekeepers were never sent to the Horn, as the different war parties refused the increased UN mandate, and also General Aidid declared that he would not tolerate blue helmets on Mogadishu's streets.¹³ Consequently, the Security Council passed S/RES/775, creating the all new UNITAF mission. Although UN Special Rapporteur Mohammed Sahoun strongly disapproved this decision and finally resigned in October 1992 seeing his negotiations with Aidid on the enlarged UNOSOM mission meritless.¹⁴

In the meantime, Aidid ultimately demanded a withdrawal of the UNISOM I forces from Mogadishu airport and set them under heavy fire while his competitor Ali Mahdi threatened to sink every aid ship calling at the port of Mogadishu. Siad Barré's troops recaptured Bardera, causing a humanitarian catastrophe.

As the situation was regarded as unacceptable by the Security Council, Secretary-General Boutros Ghali was asked to make proposals for an adequate reaction, with the US signaling a general will to contribute to a large scale military operation. Ghali presented five possible ways to proceed: First, to continue diplomatic efforts to mediate between the conflict parties. Second, a complete withdrawal of UNISOM with the humanitarian agencies being protected through deals with the local conflict parties. Third, a stronger military presence in Mogadishu to secure the humanitarian aid. Fourth, a military intervention through an international coalition, in order to disarm the conflict parties, later being replaced by a blue helmets mission. And fifth, a large scale military intervention by an international force including the right to use force to achieve their goals.¹⁵ Under the pressure of the United States, the Security Council unanimously adopted the fourth option in its resolution 794 (1992).¹⁶

On December 9th 1992, Operation Restore Hope of UNITAF was launched, with troops landing under international media coverage at Mogadishu beach and quickly taking the airport and the harbor. UNITAFS more than 33.600 soldiers from over 20 countries were quickly able to control major parts of the Mogadishu region, also due to the fact that the warlords, especially General Aidid hoped to profit from their presence. However, UNITAF did not further advance to North and South Somalia and only controlled about 40% of the country. Another problem of the mission was the interpretation of the definition of the term '*establishing a secure environment for humanitarian relief operations*'.¹⁷ While Boutros Boutros Ghali urged for the disarmament of the militias, the United States saw the mission's task in securing the crucial infrastructure to enable humanitarian assistance and feared that any disarmament efforts would only unify the Somalis against the US as their common enemy.¹⁸ UNITAF was thus unable and unwilling to disarm the militias. Most of them only withdrew from the cities and set up new camps on the countryside, waiting for the retreat of the American forces. Consequently the mission almost completely failed in disarming the different militias.¹⁹

In regard of the problems of UNITAF, the Security Council mainly followed Ghali's advice when passing S/RES/814 (1993) that created UNISOM II as the UNITAF successive mission. The new mission consisted of 33.000 soldiers and had a budget of \$ 1.5 billion, making it the most expensive UN mission of all time. UNISOM II was clearly mandated to disarm all militias and to operate in the whole country. Therefore the use of force, if necessary, was permitted.²⁰

Meanwhile the main conflict parties signed a peace agreement, accepted the disarmament of their militias and decided to cooperate with the UN forces until the creation of a provisional government.²¹

¹¹ Ghali, Boutros Boutros: Report of the Secretary General on the Situation in Somalia, S/23829, New York 1992.

¹² S/RES/775 (1992)

¹³ S/246716. Oct. 1992

¹⁴ Bartl, Jürgen: Die humanitäre Intervention durch den Sicherheitsrat der Vereinten Nationen im "Failed State". Das Beispiel Somalia, Frankfurt am Main 1999, p. 44 seqq.

¹⁵ Ghali, Boutros Boutros: Letter Dated 29. November 1992 from the Secretary General addressed to the President of the Security Council S/24868, New York 1992.

¹⁶ S/RES/794 (1992)

¹⁷ Ibid.

¹⁸ Lewis, Paul: U.N. Chief Faults U.S. Again on Disarming Somalis, New York Times, December 22, 1992,

<http://www.nytimes.com/1992/12/22/world/un-chief-faults-us-again-on-disarming-somalis.html?scp=9&sq=unified%20task%20force&st=cse>; accessed February 11, 2010.

¹⁹ Bartl, Jürgen: Die humanitäre Intervention durch den Sicherheitsrat der Vereinten Nationen im "Failed State". Das Beispiel Somalia, Frankfurt am Main 1999, p. 46 seqq.

²⁰ S/RES/814 (1993)

²¹ Bartl, Jürgen: Die humanitäre Intervention durch den Sicherheitsrat der Vereinten Nationen im "Failed State". Das Beispiel Somalia, Frankfurt am Main 1999, p. 50 seqq.

The first disarmament operations of UNISOM II mainly took part in the Mogadishu region and thus concentrated on Aidid's SNA. Aidid reacted by first sending anti-UN and anti-American propaganda via his radio station in Mogadishu. In June 1993, the conflict fully escalated when 24 Pakistani soldiers were killed while inspecting an arsenal of the SNA. When Aidid and his SNA were found responsible for the attacks, UNISOM II more and more concentrated on the fight against the SNA.²²

The conflict reached its peak in the catastrophic so-called battle of Mogadishu/Operation Irene after two helicopters were shot down and 18 GP's and one Malaysian peacekeeper died in battle during a failed raid on Aidid's headquarters. Facing the pictures of two dead Delta Force soldiers being dragged through the streets by a Somali mob, the mission finally lost its support within the US administration and especially in the public opinion of the US. Consequently, President Clinton declared to withdraw the US forces on March 31 1993.²³

Losing the support of the US and also the major European countries, the UN mission was doomed to fail and ended in spite of various last minute reconciliation efforts with the withdrawal of the last peacekeepers on March, 3, 1995.²⁴

The Transitional Federal Government (TFG), the ICU and the Ethiopian intervention

After the withdrawal of the UNISOM mission, South Somalia again fell back into anarchy. While Aidid was killed in 1996, the Darod and the Hawiye clans kept on fighting.²⁵ In the North, Somaliland was able to achieve a relatively stable autonomy, which can be viewed as a de facto regime since 1996, while Puntland declared itself an autonomous region in 1998.²⁶

In 2000 a new round of negotiations to create a new Somali government started in Djibouti. However, the first Transitional Federal Government was not recognized by some major warlords, who themselves founded the Ethiopian backed Somalia Reconciliation and Restoration Council (SRRC). In 2004 a new Transitional Federal Government was founded after negotiations in Kenya, but it took until 2006 that it was able to move to its provisional capital Baioa, as during this time Mogadishu was mostly controlled by an alliance of several warlords who called themselves Alliance for Restoration of Peace and Counter-Terrorism (ARPCT).

Around the year 2000 the Islamic Courts Union (ICU) entered the stage of the Somali power play. The ICU soon was able to gain support from large parts of the population, as its interpretation of the Sharia law often was the only guarantee against the anarchical system of the different war lords. Areas controlled by the ICU stand out due to their stability and the rule of law. However, the ICU was only a loose coalition between several different Islamic Courts, representing multiple fractions from salafist radical Islamists to relatively moderate clerics. But being supported by Eritrea and by the majority of the population, the ICU became a major force among the fractions of the Somali civil war. In 2006 the ICU conquered Mogadishu, controlled most parts of South Somalia and threatened all other Somali factions including the TFG and Puntland.²⁷

When the ICU leader Sheik Hassan Dahir Aweys voiced ideas about a greater Somalia - and ICU forces ultimately threatened the TFG residence Baidoa - tensions between the ICU and Ethiopia further intensified.²⁸ On July 20, 2006, Ethiopia started its US-backed invasion in Somalia in order to support the TFG and fight terrorism. The superior Ethiopian forces were easily able to drive out the ICU of most major cities, but were soon after confronted with insurgency movements of the different splinter groups of the ICU.²⁹

In 2007 the African Union launched its AMISOM mission, a peace support mission replacing the fruitless IGASOM. The AMISOM mandate was approved by the UN Security Council through S/RES/1744 and was ever since extended.³⁰ AMISOM's only contributors are Uganda and Burundi, contributing about 5,250 troops.³¹ Hence, AMISOM must be seen as a too weak and badly equipped force that is hardly able to defend itself and the TFG.

After the breaking up of the ICU into multiple fractions, the TFG included some of the less radical groups, and on January 31, 2009, Sharif Sheikh Ahmed, the former commander in chief of the ICU, was even elected as the new president of the TFG.³²

The Ethiopian forces finally withdrew in January 2009.

²² S/26351, August 24 1993.

²³ Krauss, Clifford: MISSION IN SOMALIA; High Cost for Clinton on Somalia Vote, in New York Times October 16, 1993, <http://www.nytimes.com/1993/10/16/world/mission-in-somalia-high-cost-for-clinton-on-somalia-vote.html?scp=12&sq=clinton%20somalia%20withdraw&st=cse>; accessed February, 11, 2010.

²⁴ Bartl, Jürgen: Die humanitäre Intervention durch den Sicherheitsrat der Vereinten Nationen im "Failed State". Das Beispiel Somalia, Frankfurt am Main 1999, p. 50 seqq.

²⁵ Webersik, Christian: Fighting for Plenty: the Banana Trade in Southern Somalia, in: Oxford Development Studies, Vol. 33, No. 1, March 2005, p. 81-97, p. 83 seqq.

²⁶ International Crisis Group: Africa Briefing N°64: Somalia: The Trouble with Puntland, Nairobi/Brussels, 12 August 2009, http://www.crisisgroup.org/library/documents/africa/horn_of_africa/b64_somalia_the_trouble_with_puntland.pdf; accessed February 10, 2010.

²⁷ Lacey, Marc: Islamic militias take control of Somali capital - Africa & Middle East, International Herald Tribune, Monday, June 5, 2006, http://www.nytimes.com/2006/06/05/world/africa/05iht-web.0605mogadishu.1889529.html?_r=1; accessed February 11, 2010

²⁸ Hassan, Mohammed Olan: Islamic leader says Somali regions in Kenya, Ethiopia should be part of Somalia, Associated Press November 18, 2006, <http://www.newspress.com/Top/Article/article.jsp?Section=WORLD&ID=564842767252324414>; accessed February 12, 2010.

²⁹ International Crisis Group: Conflict History: Somalia, http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=98; accessed February 12, 2010.

³⁰ S/RES/1910 (2010)

³¹ AMISOM: Military Component, http://www.africa-union.org/root/AU/AUC/Departments/PSC/AMISOM/AMISOM_MILITARY_COMPONENT.htm; accessed February 12, 2010.

³² Middleton, Roger: Somali President faces tough task, BBC News, <http://news.bbc.co.uk/2/hi/africa/7861853.stm>; accessed February 10, 2010.

Al Shabaab and the Terrorism Problem

After being defeated by the Ethiopian troops, the ICU split into several different groups, among them the radical Islamist Al Shabaab and Hizb ul Islam. Both groups soon encountered the Ethiopian forces in messy street fights and used tactics such as IEDs and suicide bombers.

Just directly after the pullout of the Ethiopian forces, Al Shabaab was able to conquer Baidoa and drive the TFG into exile in Dschibuti and Kenya again. Al Shabaab now stands at the very center of the current war in Somalia, combating the TFG and AMISOM as well as other warlords and even competitors among the radical Islamist groups, e.g. Hizbul Islam.³³

Al Shabab also stands at the very center of US concerns concerning a potential involvement of Al Kaida in Somalia. It is listed as a terrorist organization by the Department of State since 2008, and suspected to have links to Al Kaida and Islamist Terror groups in Yemen, the Arabian Peninsula as well as East Africa.³⁴

The Piracy Problem

Today's media coverage of Somalia often concentrates on the activity of its notorious pirates. Although piracy already started during the 1990s, the phenomenon of large scale piracy in Somalia is a rather new phenomenon. Some pirates are justifying their actions by the damage done to the traditional Somali fishing industry by the intensive activities of fishing fleets in Somali fishing grounds, and the dumping of toxic waste in Somali waters, which further endangered the very existence of the Somali population in some coastal areas.³⁵ During the past three years, piracy developed into a multimillion dollar business.

The international community reacted by sending multiple maritime anti-piracy missions to the Horn of Africa, including the EU's Atalanta Mission, NATO's Operation Ocean Shield and its predecessors, the Missions of US taskforce 150 and 151 as well as operations including personnel from, among others, India, Russia, China, France, Iran, Saudi Arabia and Japan.³⁶ These missions and operations are backed by S/RES/1851 (2008), and they are explicitly mandated under Chapter VII of the UN Charter. Although the number of pirate attacks on capital ships seems to have slightly declined, some pirates simply have changed their tactics. Acting from so-called motherships, they have extended their operations wide into Kenyan waters and even as far as the Seychelles.³⁷ The international anti-piracy efforts at the Horn thus have to cover an area as wide as 2.59 million square kilometers – a task that clearly seems to be impossible with the given means.

The members of the Security Council agreed that more long-term approaches are needed to tackle this problem. Since Resolution 1851 already includes military operations on Somalian soil, it is of great importance to understand the current political situation, and hence shall be an issue in upcoming resolutions. Another problem is the dealing with already caught pirates, since different countries already denied putting them to trial.

During the last months, it has become clear however that a tribunal comparable to the ones for the former Yugoslavia and Ruanda will not find a majority in the Security Council.³⁸ This is mainly due to the fact that the piracy phenomenon near Somalia is understood as a symptom of a larger conflict, but not the core problem. Hence, the Security Council will need to find new strategies to pacify the country and the whole region.

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³⁴ Department of State: Foreign Terrorist Organizations, <http://www.state.gov/sct/rls/other/des/123085.htm>; accessed February 12, 2010.

³⁵ Horand Knaup. *Prelude to Piracy: The Poor Fishermen of Somalia* (English), Spiegel Online, 12. April 2008. accessed February 02, 2010.

³⁶ US Department of State: Piracy off the Coast of Somalia and the Response by the US and the International Community, <http://www.state.gov/t/pm/ppa/piracy/index.htm>; accessed February 12, 2010.

³⁷ BBC News: US boosts Seychelles piracy fight, 22 October 2009, <http://news.bbc.co.uk/2/hi/africa/8318181.stm>; accessed February 12, 2010

³⁸ Geiß, Petrig: UN-mandatierte Piraterie-Bekämpfung im Golf von Aden. Vereinte Nationen, 1/2010, p. 3-8

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II. Outlining Strategies for the 2010 NPT Review Conference

The NPT – Not Living Up to Expectations

From May 3rd - 28th the international community will meet in New York for the 2010 NPT Review Conference. Since it entered into force in 1970 the NPT has reached near-universal membership and remains the only internationally binding multilateral treaty addressing nuclear disarmament.³⁹ Regardless of these significant characteristics, as of today the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) has failed to fulfill its main purpose: the inhibition of the spread of nuclear weapons. Not only are there currently nine countries that are recognized as possessing nuclear weapons, but there are also multiple countries that have the necessary materials and knowledge needed to manufacture nuclear weapons.⁴⁰ At the 2010 NPT Review Conference⁴¹ the states party to the NPT will gather to address these shortcomings and attempt to rectify the poor implementation process. This Background Guide will outline the creation and structure of the NPT. Thereafter attention will be drawn to the advancements in the field of nuclear non-proliferation as well as the developments in the review process since the NPT's entry into force. In conclusion, light will be shed upon the urgency of outlining strategies for the 2010 Conference due to recent events.

The Creation and Structure of the NPT

Acting on the belief, that the vertical and or horizontal proliferation of nuclear weapons posed an imminent threat to international peace and security, the international community established the NPT. The NPT differentiates between nuclear-weapon States (NWS), which agree to pursue disarmament and not assisting in the proliferation of nuclear weapons, and non-nuclear-weapon States, which forswear the right to develop or acquire nuclear weapons (NNWS).⁴² The NPT, however, clearly distinguishes between the use of nuclear energy for peaceful purposes and the pursuit of developing nuclear energy for weapons. Article IV of the NPT guarantees all nations "the inalienable right [...] to develop research, production and use of nuclear energy for peaceful purposes".⁴³

The Treaty was opened for signature in 1968, came into force in 1970 and is currently ratified by 187 sovereign states.⁴⁴ As laid out in Article VIII the States parties to the NPT meet every five years to review the implementation and operation of the Treaty.⁴⁵ The first of these conferences was held in 1975; for the next 20 years the review conferences would focus on negotiating provisions to the Treaty and reiterating the necessity of increased nuclear weapons reduction and disarmament in NWS. However, in this time frame only two of the Review Conferences delivered outcome documents.⁴⁶ In 1995 in accordance with Article X of the NPT the States parties decided to extend the treaty indefinitely, therefore making it the official framework for all future debates on the subject of non-proliferation.⁴⁷

The 2000 and 2005 Review Conferences

Five years later at the 2000 NPT Review Conference the international community again succeeded in bringing the world closer to complete nuclear disarmament by adopting a final outcome document, *NPT/CONF.2000/28*, known as the thirteen points. Hailed as the "first ever unequivocal political commitment that binds the five biggest nuclear armed

³⁹ Reaching Critical Will, *Nuclear Non-Proliferation Treaty*. <http://www.reachingcriticalwill.org/legal/npt/nptindex1.html> retrieved on: 23.01.2010

⁴⁰ The NPT recognizes China, France, Russia, the United Kingdom and the United States as official nuclear weapons states, while India, Pakistan, Israel and North Korea are known to possess nuclear weapons, and are operating outside the NPT system. See: Arms Control Association, *Nuclear Weapons: Who Has What at a Glance* <http://www.armscontrol.org/factsheets/Nuclearweaponswhohaswhat> retrieved on: 23.01.2010 for information on countries possessing the materials and technology to produce nuclear weapons see: Suleman, Arsalan. *Bargaining in the Shadow of Violence: The NPT, IAEA, and Nuclear Non-Proliferation Negotiations*, in: Berkeley Journal of International Law. 2008, p. 207-208

⁴¹ Hitherto referred to as the 2010 Review Conference

⁴² Article IX of the NPT defines NWSs as "one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January, 1967" see: United Nations Office for Disarmament Affairs, *Treaty on the Non-Proliferation of Nuclear Weapons*

⁴³ Ibid. Article IV

⁴⁴ Bunn, George. *The Nuclear Non-Proliferation Treaty: History and Current Problems* in: Arms Control Today. Arms Control Association, 2003. http://www.armscontrol.org/act/2003_12/Bunn retrieved on: 23.01.2010

⁴⁵ United Nations Office for Disarmament Affairs, *Treaty on the Non-Proliferation of Nuclear Weapons*, Article VIII

⁴⁶ Reaching Critical Will. *NPT Review Process: 1970-1995*. <http://www.reachingcriticalwill.org/legal/npt/history.html> retrieved on: 23.01.2010

⁴⁷ Bunn *History and Current Problems* 2003. http://www.armscontrol.org/act/2003_12/Bunn retrieved on: 23.01.2010

nations to the total elimination of their arsenals”,⁴⁸ this document was considered a great accomplishment. Unfortunately, the momentum and optimism that followed this Conference were quickly suppressed by the decision of the United States of America to withdraw from the *Comprehensive Test Ban Treaty* and the *Anti-Ballistic Missile Treaty*. By 2005 the international community was not able to regain its previous impetus and the 2005 NPT Review Conference did not succeed in producing a final outcome document. Extremely important issues such as nuclear terrorism and the issue of North Korea and Iran remained unaddressed.⁴⁹

Upcoming 2010 NPT Review Conference

After the failure of the 2005 Review Conference and the inability of the preparatory conference in 2009 to produce a final recommendation document, opinions on the atmosphere going into the 2010 Review Conference are divided.⁵⁰ On the one hand, the international community has been unable to agree neither on the proper procedure for dealing with Non-NPT Nuclear Weapon States nor on the procedures for the proper withdrawal from the NPT.⁵¹ In addition, North Korea still refuses to return to the Six-Party Talks and relations with its neighbor South Korea are increasingly strained.⁵² Finally, the Islamic Republic of Iran has refused to abide by Security Council resolutions, which demand it suspend its uranium enrichment program.⁵³

On the other hand, there have recently been positive developments that may indicate a shift in the international climate and new possibilities for the upcoming 2010 Review Conference. To begin with, although the Preparatory Committee for the 2010 Review Conference did not yield a final recommendation document, a list or draft recommendations was adopted. This draft document included multiple ambitious proposals aiming at progressing nuclear disarmament such as: the resumption of talks regarding the creation of a fissile material cutoff treaty under the Conference on Disarmament and the entry into force of the CTBT. In addition, the draft recommendations included measures devoted to the peaceful use of nuclear energy, nuclear safety as well as measures to address nuclear terrorism.⁵⁴ Lastly, in a landmark speech in Prague US President Barack Obama expressed America’s commitment to the pursuit of a nuclear free world and reopened negotiations with the Russian President Dmitry Medvedev on the reduction of nuclear weapons.⁵⁵

Conclusion

In light of these both negative and positive developments, the success of the 2010 Review Conference is not guaranteed. The international community must find a balance between curtailing new threats posed by illegal nuclear proliferation by controlling the flow of the necessary materials and information technology for producing enriched uranium on the one side, and upholding every sovereign states inalienable right to develop peaceful uses of nuclear technology.

To advance negotiations in preparation of the 2010 Review Conference delegates of the Security Council are asked to develop Strategies for strengthening and improving the NPT. These strategies should particularly address the illegal acquisition, spread and development of nuclear weapons, especially in conflict-ridden regions. Is the NPT still able to meet the goal of non-proliferation or are amendments required? With the 2010 Review Conference quickly approaching and negotiations with Non-NPT Nuclear Weapon States more ineffective than ever before, debate in the Security Council is essential to uphold the international communities commitment to nuclear disarmament.

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