



KENYA MODEL UNITED NATIONS

20TH SESSION

**2ND PRELIMINARY SESSION OF THE UNITED NATIONS
SECURITY COUNCIL**

BACKGROUND GUIDE

AGENDA: DPRK NUCLEAR ACTIVITIES

DAIS ADDRESS

Excellencies,

It is of the highest honour and utmost privilege that we get to preside over the Kenya Model United 1st preliminary session of the United Nations Security Council. We congratulate you for having risen up to the call of duty, relentlessly executing your mandate, with all the powers vested upon you to grace your presence to this high-level council.

We have unreserved confidence in the abilities of all those chosen to represent the nations that sit at the United Nations Security Council. Pursuant to this, the dais is in no doubt that the level and quality of deliberations and proceedings shall be quintessential.

We rest assured that the matter on the table shall be meticulously researched upon, conclusively deliberated and comprehensively resolved as the buck stops with the UNSC.

In order to belabour in fact and objectively, relative to your states stance, make reference with full understanding to your state's foreign policy

The dais is in support of its call for stronger international human rights mechanisms to remedy the humanitarian violations as ostensibly seen in the Rohingya Muslims of Myanmar

We are looking forward to having received Position papers of your representative and respective states by or on the **15th January 2021, 2359hrs.**

Forward this to the Council's email address: Securitycouncil@kenyamodelun.or.ke

Yours in service,

Signed

Sanaa Khandwalla

David Kariuki

Valerie Jane

THE SECURITY COUNCIL



The United Nations consist of a total of 6 principal organs, out of which, one is the United Nations Security Council (UNSC). Following the objectives of the UN, the UNSC is charged with maintaining international peace and security while also being in charge of accepting new member states into the UN and approving any changes that are to be made to the United Nations charter.

The council is made up of a total of 15 member states, out of which 5 are permanent members while the other 10 non-permanent members gain their seats through a series of lobbying and voting.

The five permanent members are often referred to as the founders of the UN and include:

- The United States of America
- The United Kingdom of Great Britain

- The French Republic
- The Russian Federation
- The People's Republic of China

The current non-permanent members are India, Kenya, Mexico, Norway, Ireland, Vietnam, Niger, Saint Vincent and Grenadines, Tunisia and Estonia.

MANDATE OF THE UNSC

In accordance with Chapter V of the Charter of the United Nations, the powers and functions of the Security Council defined in Article 24, 25 and 26, the United Nations confers the UNSC's primary responsibility to be the **maintenance of international peace and security** and allows the Council to act on its behalf whilst performing the aforementioned functions.

Binding the council to work within the boundaries of the Purposes and Principles of the United Nations, Chapters VI, VII, VIII and XII of the Charter shed light on the specific powers bestowed on the Council.

Under Article 39, Chapter VII, which states, "The Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression..." the council has exclusive powers to recognize aggressors and the following article, Article 40, calls upon the involved parties to comply with "provisional measures".

Article 41 authorizes the Council to take measures not involving the use of armed forces (i.e.: trade sanctions, embargoes, etc.) whereas the succeeding article, Article 42, clearly states, "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security...".

Hence, these articles contained within Chapter VII of the UN Charter provide guidance to the Council, on its working and probable course of action during an international conflict (that fits the given criteria).

PROCEDURAL AND SUBSTANTIVE MATTERS OF THE UNSC

On procedural matters, each member yields one vote that is requisite of nine affirmative votes for matters of such a nature to pass.

On substantive matters, each member yields one vote that is required of an affirmative vote of nine, fully inclusive of the votes of the 5 permanent members that yield **VETO** powers. It is imperative to note that a permanent member may abstain from voting without impairing the validity of the aforesaid decision.

Any state, regardless of its membership or lack thereof, can bring a case to the floor of the council. Pacific methods are given precedence as the interim and immediate dispute resolution mechanisms. If and when they fail to achieve the desired effect, international peacekeeping forces may be deployed.

In addition to several standing and ad hoc committees, the work of the council is facilitated by the Military Staff Committee, Sanctions Committees for each of the states under sanctions, Peacekeeping Forces Committees, and an International Tribunals Committee.

HISTORY OF DPRK NUCLEAR ACTIVITIES

It is believed that the relationship between North Korea and nuclear weapons arose as a result of the Second World War, when the powers divided Korea into two different regions, one being North Korea and one being South Korea. The situation worsened during the periods of 1950-1953, due to the infamous Korean War. While South Korea was backed strongly by the economic power of the United States, North Korea was supported by USSR and China, both of which had begun investing in nuclear weapons. Based on this, North Korea also opted for the same weapons their supporters used: nuclear weapons. Since its creation on 1948, the 'Father of the Nation', Kim Il-Sung was successful in establishing a dictatorial system which was widely known for its rigidity while also forming an international image of a weak state that is often victimised by the East and West, which allowed DPRK to continue pursuing nuclear weapons as a form of defence.

Later on, in the 1990s, after freeing themselves from all Russian and Chinese influences, Sung's successor, Kim Jong-Il formulated a new system-the 'Songun', with the motto being 'military comes first.' This motto made the armed forces the most important limb of the government and in order to strengthen the government and state, DPRK turned even more to nuclear weapons.

STATEMENT OF THE PROBLEM: DPRK CURRENT NUCLEAR PROBLEMS

In this day and age, North Korea's means and methods of war are no secret. From threats of nuclear attacks via social media platforms and public speeches¹ to even testing out their nuclear weapons, North Korea has not been shy in showing their military potential, this however, is exactly what poses a threat to the peace and stability of the world.

Although North Korea really started testing out their nuclear power in the year 2006, when the State carried out its first nuclear test, the quest for their demilitarization has been ongoing from the year 2003. The famous Six-Party Talks took place in the year 2003 in Beijing, China with China, Japan, North Korea, Russia, South Korea and the United States taking part, all with the aim of adopting a method to demilitarise North Korea. These talks were as a result of the failure of the Agreed Framework, signed between North Korea and America, which halted North Korea's decision to withdraw from the Non-proliferation treaty and to free their nuclear programme.

The first round concluded with quite a few solutions, some being North Korea's commitment to work to resolve the nuclear issue through peaceful means and dialogue, pursuing a nuclear-free Korean peninsula while bearing in mind the security of North Korea, and avoiding acts that would aggravate the situation further. These talks went on for a total of six rounds, with no clear solution nor agreement from all the states. While some states wanted a complete destruction of nuclear power within North Korea, the state in question only agreed to the nuclear demilitarisation however wanted to retain some nuclear power to be used only for peaceful means. Finally in the year 2009, North Korea withdrew from these talks, thus freeing them from their duties under these talks and agreements.²

¹ P. Rogers, 'North Korea's new missile can reach the US – just what Trump said he'd stop', Open Democracy, July 2019

² K. Davenport, 'The Six-Party Talks at a Glance', Arms Control Association, June 2018

Over the years, North Korea has attended many talks and has agreed various times to put a stop to their nuclear projects and to demilitarise however, they have never been able to stand by these duties. Below is a timeline showing the steps taken by North Korea, the UN and even other states to deal with this growing concern.

CHRONOLOGY OF EVENTS

1994 - The United States and North Korea sign the Agreed Framework, which commits North Korea to freeze and eventually dismantle its plutonium production program under international inspection in return for several kinds of assistance from the United States and other countries. Both countries commit to political and economic normalization. The Agreed Framework remains in place until 2002, when it effectively collapses.

2003 - The first round of the Six-Party Talks over North Korea's denuclearization are held in Beijing, involving China, Japan, North Korea, Russia, South Korea, and the United States.

2005 - After their fourth round of Six-Party talks, the six parties issue a joint statement outlining principles for achieving verifiable denuclearization of the Korean Peninsula. The DPRK agrees to abandon "all nuclear weapons and existing nuclear programs." The statement outlines compromises on the provision of light-water nuclear reactors and other energy assistance to the DPRK, U.S. security guarantees, normalization of diplomatic relations between the DPRK and the United States and Japan, and the negotiation of a peace treaty. Follow-up negotiations stall almost immediately, however, particularly after the U.S. Treasury Department's September 2005 designation of Banco Delta Asia (BDA), a bank in the Chinese territory of Macau, as a financial institution of primary money laundering concern, due to suspected counterfeiting

2006 - North Korea conducts its first nuclear test, with a seismic magnitude of 4.1 and estimated explosive yield of less than a kiloton TNT equivalent.

10/14/2006 The U.N. Security Council unanimously adopts Resolution 1718 condemning the October 2006 nuclear test, demanding North Korea refrain from conducting nuclear tests or launching ballistic missiles, and enacting certain sanctions.

2007 - The six parties reach an agreement to begin the initial 60-day phase to implement the 2005 Joint Statement. North Korea agrees to disable all nuclear facilities and provide a “complete and correct” declaration of all its nuclear programs, in exchange for the delivery of heavy fuel oil and removal of the United States’ Trading with the Enemy Act and State Sponsors of Terrorism designations. Separately, the United States assures North Korea that it will return frozen funds from Banco Delta Asia to North Korea, which it does later in 2007. IAEA inspectors returned to North Korea in July 2007 to monitor and verify the shut-down, install seals, and monitor facilities at Yongbyon, and maintain a continuous presence there until mid-April 2009. During this nearly two-year period, agreement on verification measures proved elusive, contributing to tensions that ultimately led to the Six-Party Talks’ collapse.

2012 - The United States and North Korea separately announce agreement on a number of items. North Korea commits to a long-range missile testing moratorium; a nuclear testing moratorium; a moratorium on nuclear activities, including uranium enrichment at Yongbyon; and a return of IAEA inspectors to the Yongbyon nuclear facilities. Separately, the United States announces that the two countries would hold further talks to finalize details of a 240,000 metric ton food assistance program. U.S. officials indicate their hope that collectively these steps will pave the way for a return to denuclearization under the Six-Party Talks process. Less than three weeks later, however, the “Leap Day agreement” begins to unravel. On March 16, 2012, North Korea announced that it would launch an “earth observation satellite” in April, in violation of UNSC resolutions. During their talks, U.S. officials reportedly told their North Korean counterparts that the United States would regard a satellite launch as a violation of the agreement the two sides were negotiating. After North Korea proceeds with the launch on April 13, the United States suspends its portion of the Leap Day arrangement. Thereafter, North Korea follows suit.

2017 - The U.N. Security Council passes Resolution 2356, which imposes sanctions on 4 North Korean entities and 14 officials.

2019 - At the U.N. Security Council, China and Russia propose lifting sanctions “related to the livelihood of the civilian population” of North Korea, by, among other steps, terminating sanctions on DPRK exports seafood, textiles, statues, and workers, and by exempting inter-Korean road and rail projects from U.N. sanctions. The United States rejects the proposal as “premature.”

PAST UNITED NATIONS SECURITY COUNCIL ACTIONS

Since the year 1991, when the resolution regarding membership of North Korea as a member of the UN,³ the United Nations has passed various resolutions and sanctions all in order to contain North Korea's nuclear power. This effort doubled in the year 2006, when North Korea began testing out its nuclear power and weapons. The following is a brief list into the actions of the UN:

S/Res/825: the resolution was passed in order to urge North Korea to reconsider withdrawing from the Nuclear Non-Proliferation Treaty and to abide by their obligations within said treaty.⁴

S/Res/1695: this resolution was the first of the many passed in the year 2006 and the following years, condemning DPRKs launch of their ballistic weapons, while also placing into effect sanctions on the state.⁵

S/Res/1718: this resolution was also passed in 2006 and demanded that North Korea put a stop to their nuclear testing while also imposing a strict prohibition on the export of certain military supplies and luxury items. This resolution was also the one that created the UN Security Councils Sanction Committee on North Korea.⁶

S/Res/1874: passed in 2009 following the second nuclear test, agreeing to broaden the arms embargo set in 2006.⁷

S/Res/2087: passed in January 2013 after a satellite launch, strengthened previous sanctions by clarifying a state's right to seize and destroy cargo suspected of heading to or from North Korea for purposes of military research and development.⁸

S/Res/2094: passed in March 2013 after the third nuclear test, imposed sanctions on money transfers and aimed to shut North Korea out of the international financial system.⁹

³ UN Security Council, Security Council Resolution 702, 8 August 1991, S/RES/702 (1991)

⁴ UN Security Council, Security Council Resolution 825, 11 May 1993, S/RES/825 (1993)

⁵ UN Security Council, Security Council Resolution 1695, 15 July 2006, S/RES/1695 (2006)

⁶ UN Security Council, Security Council Resolution 1718, 14 October 2006, S/RES/1718 (2006)

⁷ UN Security Council, Security Council Resolution 1874, 24 September 2009, S/RES/1874 (2009)

⁸ UN Security Council, Security Council Resolution 2087, 22 January 2013, S/RES/2087 (2013)

⁹ UN Security Council, Security Council Resolution 2094, 7 March 2013, S/RES/2094 (2013)

S/Res/2270: passed in March 2016 after the fourth nuclear test, further strengthened existing sanctions. Furthermore, according to this resolution, a further ban of exports was imposed, in particular the export of gold, vanadium, titanium and other rare earth metals. This ban also extended to the export of coal and iron, the only exception being that which is used for livelihood purposes.¹⁰

S/Res/2321: passed in November 2016, capped North Korea's coal exports and banned exports of copper, nickel, zinc, and silver.¹¹

S/Res/2371: passed in August 2017, banned all exports of coal, iron, lead, and seafood. The resolution also imposed new restrictions on North Korea's Foreign Trade Bank and prohibited any increase in the number of North Koreans working in foreign countries.¹²

S/Res/2375: passed on 11 September 2017, limited North Korean crude oil and refined petroleum product imports; banned joint ventures, textile exports, natural gas condensate and liquid imports; and banned North Korean nationals from working abroad in other countries.¹³

S/Res/2397: passed on 22 December 2017 after the launch of a Hwasong-15 intercontinental ballistic missile, limited North Korean crude oil and refined petroleum product imports to 500,000 barrels per year, banned the export of food, machinery and electrical equipment, called for the repatriation of all North Korean nationals earning income abroad within 24 months. The resolution also authorized member states to seize and inspect any vessel in their territorial waters found to be illicitly providing oil or other prohibited products to the Democratic People's Republic of Korea.¹⁴

WHAT SHOULD THE IDEAL SITUATION BE

North Korea has faced various criticism and sanctions over the course of many years however they continued to invest into nuclear power and nuclear weapons. As such, being that the UNSC

¹⁰ UN Security Council, Security Council Resolution 2270, 2 March 2016, S/RES/2270 (2016)

¹¹ UN Security Council, Security Council Resolution 2321, 30 November 2016, S/RES/2321 (2016)

¹² UN Security Council, Security Council Resolution 2371, 5 August 2017, S/RES/2371 (2017)

¹³ UN Security Council, Security Council Resolution 2375, 11 September 2017, S/RES/2375 (2017)

¹⁴ UN Security Council, Security Council Resolution 2397, 22 December 2017, S/RES/2397 (2017)

is mandated to ensure international peace and security it is upon the council to deal with this matter. However, in order for this to happen, all members of the UNSC need to work collectively in order to come up with solutions that satisfy all states, while also ensuring that the principle of sovereignty is not in any way undermined. As such, the ideal situation regarding North Korea's nuclear power is that all states of the UNSC are able to work together to create a resolution that is conformity with the United Nations Charter while also ensuring that at no point is North Korea's right to defend themselves violated. Furthermore, states must also come up with resolutions that protect North Korea's fundamental rights and freedoms contained within the Universal Declaration of Human Rights, ICESCR and ICCPR.

Further details into actions of the UN and the current situation can be found in the [document here](#)

QUESTIONS A RESOLUTION MUST ANSWER (QARMAS)

1. What measures can the member states of the UNSC take that are practical as well as enforceable in order to alleviate the tension and to make North Korea a nuclear free state?
2. What measures can be set in place in order to remedy the situation and ensure the enforcement of the international laws and customs contained in the UN Charter, UDHR and various other international instruments?
3. What method can the North Korean army adopt instead of nuclear weapons that are satisfactory and capable of defending the state in case of war or international conflict?
4. How can the international community help in making sure that at least in the near future, the full Korean Peninsula is nuclear power free as promised in various agreements and treaties? And what means can be used to implement these decisions as North Korea pays little to no heed to sanctions?

References

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 - a. https://www.researchgate.net/publication/324694715_NORTH_KOREA'S_NUCLEAR_PROGRAMME_THE_SURVIVAL_OF_THE_REGIME_AND_THE_CHALLENGES_OF_SECURITY
6. Chronology of events and full documents can be found in the [document here](#)
7. For more information on Past Actions of the UN, follow this link <https://www.armscontrol.org/factsheets/UN-Security-Council-Resolutions-on-North-Korea>