

**FORUM:** Disarmament and International Security (DISEC)

**TOPIC:** The Issue of Preventing Non-State Actors from Acquiring Weapons of Mass Destruction

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**POSITION:** Deputy Chair

### **Introduction:**

International Human Rights Law (IHRL) is an unpopular branch of International Humanitarian Law (IHL) that focuses on judging the legality of nuclear weapons and endorsing for their elimination. It offers a greater range of implementation mechanisms than does IHL, and strengthens safeties provided to civilians combating under IHL. Of relevance are the rights to life, to humane treatment and to health, associated with the right to a remedy for violations of any human rights.

The IHRL commission has classified all the uses of nuclear, chemical, or biological weapons (weapons of mass destruction) during wartime as a war crime (or a crime against humanity if used widespread); this because of their uncontrollable use that in the past indistinctly caused the death of an enormous number of people, both militaries and civilians, breaking any international treaty. This proves that the use of weapons of mass destruction not only makes incompatible the “right to peace” and the “right to life” (art. 3) legislated in the Universal Declaration of Human Rights, but encourages governments to use it as a justification for restraining or suspending these rights.

Some ages ago, weapons of mass destruction were only a threat in theory, since they had been used only a few times in the past. Nowadays, their threat is constantly increasing, because nuclear, biological and chemical weapons are becoming even more dangerous due to technological progress. However Non-State Actors, especially violent ones (such as, but not limited to, IS and other terrorist organisations), have been getting hold of these weapons, becoming one of the most serious threat to international security.

### **Definition of key terms**

#### **IHRL (International Human Rights Law)**

the branch of International Humanitarian Law designed to promote human rights on social, regional, and domestic levels; it is made up of treaties, agreements between sovereign states and customary international laws.

#### **WMD (weapons of mass destruction)**

a nuclear, radiological, chemical, biological or any other weapon that can kill or bring significant harm to a large number of humans, or cause great damage to human-made structures (e.g., buildings), natural structures (e.g., mountains), or the biosphere; originally invented in reference to aerial bombing with chemical explosives during World War II, it has later come to refer to large-scale weaponry of other technologies, such as chemical, biological, radiological, or nuclear.

#### **Chemical weapons**

“any toxic chemical or its precursor that can cause death, injury, temporary incapacitation or sensory irritation through its chemical action. Munitions or other delivery devices designed to deliver chemical weapons, whether filled or unfilled, are also considered weapons themselves.”

## **Biological weapons**

“Biological weapons use microorganisms and natural toxins to produce disease in humans, animals, or plants. Biological weapons can be derived from: bacteria, viruses, rickettsia, biological toxins and fungi. These agents can be deployed as biological weapons when paired with a delivery system, such as a missile or aerosol device.”

## **Nuclear weapons**

A device that releases nuclear energy in an explosive manner as the result of nuclear chain reactions involving fission, or fission and fusion, of atomic nuclei.

Such weapons are also sometimes referred to as atomic bombs (a fission-based weapon); or boosted fission weapons (a fission-based weapon deriving a slightly higher yield from a small fusion reaction); or hydrogen bombs/ thermonuclear weapons (a weapon deriving a significant portion of its energy from fusion reactions).”

## **Right to Peace**

approved by General Assembly resolution 39/11 of 12 November 1984, it demands that the policies of States are directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use of force in international relations and the settlement of international disputes by peaceful means based on the Charter of the United Nations.

## **Universal Declaration of Human Rights**

a historic document adopted by the United Nations General Assembly that affirms an individual's rights which, although not legally binding in themselves, have been elaborated in subsequent international treaties, economic transfers, regional human rights instruments, national constitutions, and other laws.

## **NSA (Non-State Actors)**

“An individual or organization that has significant political influence but is not allied to any particular country or state” Non-governmental organisations (NGOs) and multinational corporations (MNCs) are types of NSAs, but this study guide will focus on violent non -state actors, such as armed groups or criminal organizations.

## **General Overview**

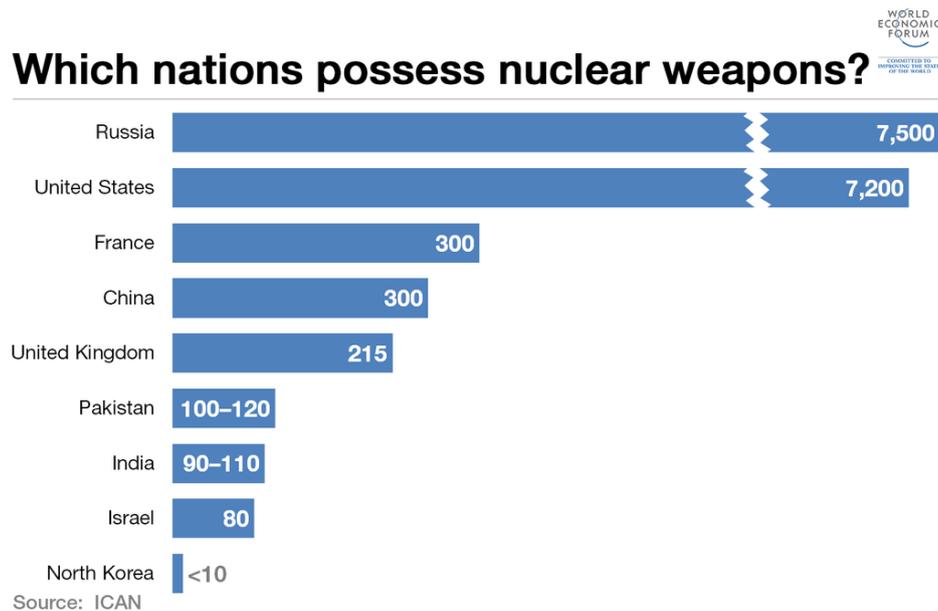
***Nuclear weapons:*** making them is a complex process, that requires both financial and mechanical knowledge. There are 4 steps needed in order to build the weapons:

1. Acquiring material capable of sustaining a nuclear fission chain reaction;
2. Producing weapons (knowledges of chemistry, electronics, explosives, metallurgy and physics are needed);
3. Conducting tests (full nuclear yield is not necessary, since nations would have to create low-weight or thermonuclear weapons;
4. Delivery systems (that regulate when and against whom a nation can use the weapons)

How easy is it for violent NSA to get nuclear weapons?

Nuclear weapons need uranium or plutonium, however neither of them is found in nature and producing them is a very complex process. Thus, violent NSA have already succeeded at stealing uranium or plutonium in the past, then recycling them in nuclear weapons.

Following the attacks of 9/11, a CIA crew found out that al Qaeda was preparing a nuclear weapons program. Nowadays, however, more leaders are worried about the nuclear threat that the Islamic State poses, although there is no evidence concerning its nuclear programme. According to the ISIS magazine 'Dabiq', the IS could easily purchase a nuclear device from Pakistan which will later reach the US. This, in combination with the nuclear character of the Brussels attacks, proves that the IS is getting closer to acquiring nuclear material.



#### Have they been used?

During the Second World War the nuclear weapons have been used twice (dropped by an American aircraft on the Japanese city of Hiroshima and Nagasaki)

**Chemical weapons:** creating them is a complex process, and in order to make them as destructive as nuclear weapons, they must be delivered in larger quantities; there are 5 steps needed in order to build the weapons:

1. Specific chemicals, equipment and facilities
2. Small-batch production (in order to assess the results of agents)
3. Scale-up production
4. Stabilization of the agent (in order to weaponize the agents; When exposed to high temperatures, stabilizers prevent the degradation and destruction of the weapon)
5. Delivery systems (states develop delivery systems and then the agent is paired with a system)

#### How easy is it for violent NSA to get nuclear weapons?

Acquiring chemical weapons also depends on the chemical agents. Some chemicals, such as chlorine, are easily found in everyday life, however their effects are minimal. Other chemicals are not found easily or have a difficult weaponizing process, thus making it difficult to achieve the wanted results.

#### Have they been used?

Chemical weapons have been used before.

- During the First World War 171t of chlorine gas resulted in the deaths of 5.000 people and in the injuries of many more;
- During the Second World War, Zyklon B was used by the Nazis in order to kill thousands of Jews and other victims in concentration camps;
- During the Vietnamese War (1962-1971) the U.S. spread a chemical called ‘Agent Orange’, which had a cancer-causing agent called dioxin;
- According to a UN investigation team, Iraq made use of chemicals during the Iraq-Iran War (1980-1988). Lastly, Iraqi chemical weapons attacks killed thousands of people in 1998. Many of those who survived developed skin cancer were born with defects or had nerve conditions;
- The Islamic State (IS) has previously used chemical weapons in Syria and Iraq.

*Biological weapons:* creating them is a complex process, and they are much more economical than nuclear weapons; however biological agents cannot withstand hot temperatures of missiles when flying. These weapons’ development and production can be divided in 3 steps:

1. Selection and acquisition of the agent (both from nature or laboratories; then they have to be stored and maintained);
2. Alteration of traits and characteristics of the organism;
3. Delivery systems

How easy is it for violent NSA to acquire biological weapons?

Biological Weapons are even more accessible to terrorist groups. Availability of related information on the internet, more specific teaching of biological sciences at universities and, generally, technological progress are some of the factors that make acquiring BW easier. BW are cheap, can be delivered more easily than other weapons and have a strong psychological impact, making them more ‘attractive’ to terrorists.

### Timeline of events:

<i>Date</i>	<i>Event</i>
<b>1925:</b>	The Geneva Protocol is open for signature
<b>1928:</b>	The Geneva Convention enters into force
<b>1945:</b>	Nuclear bombings of Hiroshima & Nagasaki
<b>5/03/1970:</b>	The NPT enters into force
<b>1975:</b>	The BWC enters into force
<b>1995:</b>	Tokyo’s underground attack
<b>1997:</b>	The CWC enters into force
<b>September 2001:</b>	<i>Amerithrax</i>
<b>07/07/2007:</b>	The Nuclear Terrorism Convention enters into force
<b>27/08/2016:</b>	Libya successfully removes all chemical weapons
<b>12/06/2017:</b>	US-led forces admit to using CW in Syria and Iraq

### Relevant UN Treaties, Resolutions and Events

### 1. **Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

aim: to stop the increase of nuclear weapons, to promote international disarmament and the positive uses of nuclear energy.

*Adopted:* 12/06/1968

*Entered into force:* 5/03/1970

### 2. **Comprehensive Nuclear-Test-Ban Treaty (CTBT)**

It is a multilateral treaty banning all kinds of nuclear explosions. It has not entered into force because 44 “nuclear-capable states” have not ratified it yet.

### 3. **International Convention on the Suppression of Acts of Nuclear Terrorism/Nuclear Terrorism Convention**

aim: to penalize nuclear terrorism acts.

*Signed:* 14/09/2005

*Entered into force:* 07/07/2007

#### **Possible solutions:**

- **Banning nuclear reprocessing:** Reprocessing separates plutonium which can be used to create nuclear weapons, thus it is very important that countries stop reprocessing it, as it makes their facilities prone to theft.
- **Denuclearizing:** There are still 9 countries possessing nuclear weapons. In order to achieve global denuclearization, international cooperation is required between nuclear weapons-states and also states without nuclear arsenal.
- **Combatting nuclear smuggling:** Exchanging nuclear-related information among states, coordinating police and other organizations and training these organizations can minimize nuclear smuggling.
- **Signing and ratifying the NPT**
- **Improving security:** Increasing government funding in defence against chemical/biological attacks can prevent the acquisition of agents by NSAs. Moreover, adopting obligatory safety laws for biological and chemical research facilities and laboratories is crucial in preventing the theft of facilities

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