



Study Guide



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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons Safeguards agreement in the Islamic Republic of Iran and the DPRK

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"The Nuclear Non-Proliferation Treaty is an essential pillar of international peace and security, and the heart of the nuclear disarmament and non-proliferation regime. Its unique status is based on its near universal membership, legally-binding obligations on disarmament, verifiable non-proliferation safeguards regime, and commitment to the peaceful use of nuclear energy"

UN Secretary-General António Guterres on the Fiftieth Anniversary of the NPT's opening for signature, 24 May 2018, Geneva

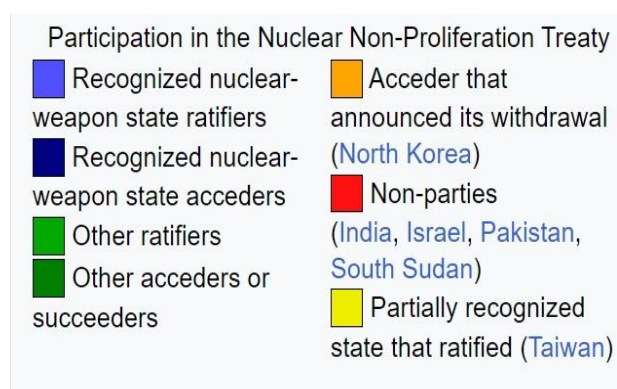
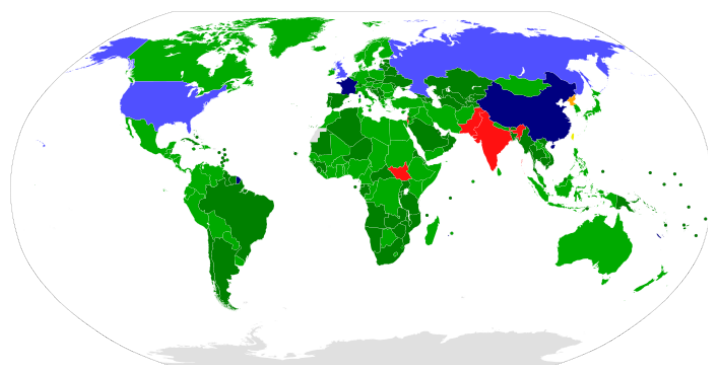


General Overview and Background Problems

At the end of the second World War, and for a short time, the only state in the world to possess nuclear weapons was the United States. It was at this point that President Harry Truman proposed to decommission U.S. nuclear weapons if other states did not develop their own and agreed to inspections to verify the agreement called the “Baruch Plan”. The Soviet Union rejected these inspections, as they were already developing their own nuclear weapons technologies, and it was evident that they had the capacity to use their know-how and materials for weapons purposes. Furthermore, during the Cold War, when the relationship between these two countries was very fragile, both were in possession of arsenals important enough to lead to global disaster, putting all nations in danger.

In 1957 an autonomous body that aimed at both providing assistance to non-nuclear states and promoting the peaceful use of nuclear energy was created. This intergovernmental organisation was called the International Atomic Energy Agency. Countries such as the USA, followed by France and the Soviet Union began providing reactors with highly enriched uranium to non-nuclear countries, and this helped scientists to learn more about fission and its potential uses. A debate about non proliferation in the General Assembly led to a 1961 consensus, and the ‘Irish resolution’, a forerunner of the NPT, resolved that nations possessing nuclear weapons would not share information about their fabrication, in particular to non-nuclear countries. Between 1965 and 1968 the creation of a treaty was debated by the eighteen nation Committee on Disarmament, in Switzerland. Finally, in 1968 the United States of America, the Soviet Union and the United Kingdom, in close collaboration with NATO, established a treaty that aimed at limiting nuclear weapons. The Non-Proliferation Treaty (NPT) is based on three main pillars: nuclear disarmament, disarmament and peaceful uses of nuclear energy, and it remains the cornerstone of global nonproliferation. The NPT states that non-nuclear countries must not manufacture or acquire any kind of nuclear weapon or device and that nuclear weapons countries not assist or encourage proliferation in any way, shape or form. The Treaty, composed of eleven points, was initially created for a limited period of time of 25 years, and it was

then extended indefinitely - the last modification in 2015. To date 189 member states have signed the Treaty.



Current Issues and criticism of the treaty

Although nearly fifty years have passed, the NPT still remains fundamental to the maintenance of international peace and security. Over the years the treaty has been modified in various ways, but the concerns still remain the same, given that member states, such as Iran, North Korea and Iraq, among others, were able to bypass IAEA controls and safeguards stated in the Treaty, and gain illicit access to nuclear technologies.

At 50, the NPT cannot be said to have been an unmitigated success. Clearly IAEA safeguards have struggled to uncover nuclear weapon programmes, nuclear disarmament has not worked and neither has disarmament - given recent development of sophisticated delivery systems, particularly ballistic missile technologies, on the part of Iran, North Korea and Russia. And yet, Article VI of the NPT

obliges nuclear weapons states to liquidate their nuclear stockpiles and pursue complete disarmament.

Non-nuclear states see little progress toward this goal and may even view the outcome of this article as a conspiracy, whereby nuclear-armed states maintain their dominance while keeping non-nuclear countries 'in their place.' Furthermore, some countries, including India (which is not a signatory to the treaty), believe that the NPT discriminates against states currently in possession of nuclear weapons that were not recognized as such in 1967.

Of course, nuclear states, such as the USA, respond to this criticism by affirming that, since the Cold War, over 13,000 nuclear weapons have been dismantled.

Definition of Key Terms

- **Nuclear States:** A nuclear state is considered as such if they were in possession of nuclear weapons before January 1st, 1967. The five nuclear states are: the USA, the Russian Federation, the United Kingdom, France and China.
- **Non-Nuclear States:** Non-Nuclear States are those that were not in possession of nuclear weapons before January 1st, 1967. This does not necessarily mean that some of these are not in current possession of nuclear weapons. For example, both India and Pakistan have declared being in possession of nuclear weapons. Other countries such as Israel are believed to have nuclear weapons but have not declared this.
- **Nuclear Weapons:** nuclear weapons are designed to release an explosive energy due to nuclear fission or fusion, or a combination of both. Nuclear weapons are one of the most powerful explosive devices on earth. Just one is capable of killing tens of thousands of people and destroying large swathes of the environment, buildings and cities in just a couple of seconds.

NPT Review Conferences

Since the entry in force of the treaty in 1970, every five years a review conference has taken place. These conferences aim to finalize a document that summarizes developments since the last conference, assesses the current situation, and outlines future action plans. A conference can be considered successful if countries collaborate towards a common agreement, which is important to making progress on nuclear disarmament and the peaceful use of nuclear energy. During the conference of 1995 it was decided to extend the treaty indefinitely and the States Parties adopted a resolution on the creation of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction. Moreover in the review conference of 2010, a 64-point action plan was adopted, divided into three categories: nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy. On the other hand during the conferences of 2005 and 2015 member states were not able to finalize a document.

During the last review conference, held in New York in 2022, the main issue tackled was the threat, by Russia, to use nuclear weapons against Ukraine. This, despite Russia having stated, a couple of weeks earlier and alongside other nuclear weapon states, that: 'nuclear weapons (...) should serve defensive purposes, deter aggression, and prevent war' and that 'the avoidance of war between nuclear weapon states and the reduction of strategic risks' are the nuclear weapons states' 'foremost responsibilities'. Russia's action was considered by some a clear example of a nuclear state 'bullying' a non nuclear state.

Major Parties Involved

Islamic Republic of Iran: Although Iran was one of the first countries to sign the Treaty and to conclude a safeguards agreement with the IAEA in the mid 1970s, it initiated a major nuclear program that aimed at creating two nuclear power plants at Bushehr. In 1992, Iran signed an agreement with the Russian Federation to complete one of these reactors, which was projected to start operating in 2010.



In 2003, the IAEA arrived at the conclusion that despite the fact that Iran did not violate any article of the Treaty, it should have been more forthcoming about its Natanz uranium enrichment and the Arak heavy water production plant. The IAEA later urged Iran to sign and ratify the Additional Protocol to the Safeguards Agreement of the Nuclear Non-Proliferation Treaty, which would have given inspectors greater access to nuclear sites. Regardless of this notice, a couple of months later the Governors of the IAEA Board felt obliged to pass a resolution that demanded Iran to suspend all enrichment activities, declare all uranium-enrichment sites and allow any and all inspections by the IAEA in the country. At the end of October 2003, Iran agreed to previous points and also signed the Additional Protocol. Despite this promising collaboration between the IAEA and Iran from 2004 to 2013, Iran was frequently accused of nuclear weaponization and operating a secret uranium enrichment project. Various resolutions including provisions allowing for surprise inspections were passed. In 2015, Iran reached an agreement with world powers known as the Joint Comprehensive Plan of Action (JCPOA), in which it agreed to suspend its nuclear program and allow full access to inspectors in exchange for sanctions relief. Despite ups and downs, relations remained relatively stable until 2020 when Iran announced that it would no longer abide by the agreement but stated that it would continue to cooperate with International Atomic Energy Agency inspectors. Shortly afterwards Iran also added that it would withdraw from the NPT if its case was put before the UN Security Council.

Democratic People's Republic of Korea North Korea's nuclear program began in 1950, with the help from the Soviet Union, and was focused on energy generation. In the following years, it developed its first nuclear weapon and in 1985 joined the NPT, even

though it did not finalise a safeguard agreement with the IAEA (which was only

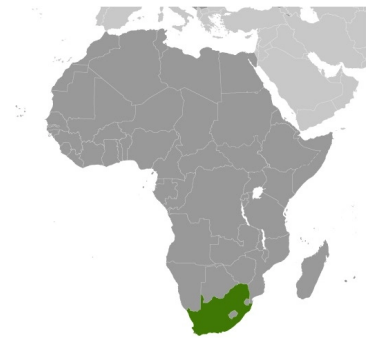


finalised in 1992).

In 1994 North Korea's leader, Kim Il-sung, died and was succeeded by his son Kim Jong-il. Later that year the US and the DPRK signed a political agreement, the Agreed Framework, in Geneva, that called on North Korea to suspend construction of its nuclear reactors in return for energy aid from the US. Both countries worked to enable the construction of two light water nuclear energy reactors, and organised an international group that would have financed it. In return, Pyongyang agreed to renew links with the IAEA and to stand by its safeguard obligations. Both countries strived to maintain a peaceful relationship and their bond remained stable until 1998, when Pyongyang was accused by the US of developing a secret nuclear site, despite the fact that it did not provide evidence for this claim. In the autumn of 2002, the agreement broke down and the consequences were drastic: after the US discovered that North Korea had procured material for a large uranium-enrichment programme, they cut off fuel shipments that were promised under the agreement; while North Korea resumed nuclear development. These actions led North Korea to withdraw from the NPT in 2003. Two years later Pyongyang also suspended its collaboration with the Six Party Talk, due to US insistence on the requirement to verify the complete disarmament of North Korea, and furthermore also announced that it had produced nuclear weapons. However, that same year North Korea agreed to return to the Six Party Talks and joined in a statement that aimed at denuclearising the Korean peninsula. Despite the Statement, when in 2006 the DPRK carried out a nuclear test, foreign analysts estimated its yield at 1kT. The UN security council imposed sanctions that included the prohibition on the use of ballistic missile technology. These sanctions were expanded in 2009 after North Korea conducted a second nuclear device test.

Moreover, in 2012 North Korea carried out its first attempt, which was unsuccessful, to launch a satellite. The satellite launch was considered to be a use of ballistic missile technology in breach of the 2006 sanctions by the UN, which, as a consequence, further amplified sanctions against the country. Following this, North Korea declared its plan to conduct a third nuclear test.

South Africa



Unlike other countries, such as Ukraine and Belarus that inherited weapons from the former URSS, South Africa was able to develop nuclear weapons by itself. During the period of apartheid the government's fear for both black rising communities and the threat of communism, led to the development of a secret nuclear programme as a deterrent strategy. It wasn't until 1987 when South Africa first declared its intention to affiliate with the NPT, and, before acceding to the treaty, South Africa dismantled its nuclear weapons and opened itself up to IAEA inspections. The IAEA declared that the country had fully dismantled its nuclear programmes. In 1995 South Africa joined the NPT.

Libya



Libya signed and ratified the NPT, and was also subjected to IAEA inspections. Nevertheless, it embarked on a secret nuclear weapons development programme, probably using information provided by Pakistani nuclear scientist A.Q. Khan, that

violated the NPT framework. In 2003 Libya started secret negotiations with the USA and the UK to eliminate the WMD programmes in the country. At the end of that same year, Libya stated that it was willing to collaborate with the US and the UK, as well as IAEA to eliminate all WMD programmes.

In 2004, Libya signed an additional program, to the NPT, that allows IAEA inspections greater authority.

Non-signatory Countries

So far 198 countries have signed the treaty, yet countries such India, Pakistan, Israel and South Sudan have not done so.

India and Pakistan are now considered as “de facto” nuclear weapons states as they are in possession of nuclear weapons that are outside of the NPT framework. Furthermore, these two countries openly tested nuclear weapons in 1998. To date both are actively continuing their development of nuclear weapons.

Israel, on the other hand, and despite much pressure to sign the Treaty, still has not done so. Moreover, it maintains a policy of ambiguity, never officially admitting or denying its possession of nuclear weapons.

South Sudan, a non-member state, is the only African country to have not signed the treaty.

Timeline of Key Events

- **1950:** North Korea, started its nuclear program
- **1957:** Creation of an autonomous body IAEA
- **1 January 1967:** Countries that were in possession of nuclear weapons were considered and are considered to this day as Nuclear States
- **1968:** Creation of the NPT
- **1 July 1968:** Iran signed the treaty
- **1970:** The NPT entered into force, with 46 states-parties as signatories
- **1985:** North Korea ratified the NPT

- **1992:** Iran, agreed with the Russian Federation to complete construction of a reactor
- **1995:** The NPT was extended indefinitely
- **2003:** North Korea withdrew (for the second time) from the Treaty
- **2015:** Iran came to an agreement called, the Joint Comprehensive Plan of Action (JCPOA)
- **2021:** The Treaty on the Prohibition of Nuclear Weapons (TPNW) entered into force

Possible Solutions and Previous Attempts

When thinking about possible solutions to fully implementing the provisions of the NPT, we have to bear in mind that to implement a treaty we have to take into consideration a series of political and legal actions that can vary from one country to another.

In 2017, the Treaty on the Prohibition of Nuclear Weapons (TPNW) was created as an effective disarmament tool, keeping the obligations stated by the NPT in mind. The Non-Proliferation Treaty prohibits any activity around the spread of nuclear weapons worldwide, such as their development, testing, production, acquisition, possession, stockpiling, their use or threat of their use. To date, 86 countries have signed the treaty.

Another possible solution is to implement Nuclear-weapon-free zones (NWFZs), defined by the UN as regional agreements, in which it is agreed that the manufacture, possession, development and testing of nuclear weapons is banned in the region.

Further possible solutions could include increasing the number and scope of IAEA inspections, promoting and raising awareness of the peaceful use of nuclear energy and enhancing economic and/or security incentives for non-signatory countries.

Useful Resources and Works Cited

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