

STUDY GUIDE

# SECURITY COUNCIL

*United Nations Security Council*



Universidad  
de Navarra | FACULTAD DE  
DERECHO

*University of Navarra*  
**UNMUN**  
*Model United Nations*



# Welcome to UNMUN 2026!

*Dear Delegates,*

Welcome to the Universidad de Navarra Model United Nations Conference 2026! On behalf of the organizing committee, thank you for choosing to join the Security Council.

The Dais of this committee is composed of Kyra Nicole Abastillas Bello (a fourth-year International Relations + Geopolitics and Diplomacy student of UNAV from the Philippines) as the President, Lucia Pickering Cruz (a third-year International Relations + Geopolitics and Diplomacy student of UNAV from the USA/Spain) as the Vice-President, and Livia Alonzi a Law & International Relations student of IE University from Canada as the Secretary.

Together with the Secretariat, they have committed to delivering an intellectually stimulating conference experience under the theme “The Global South: From Hedging to Bridging in the International System.” As the United Nations organ with the primary responsibility for the maintenance of international peace and security, the Security Council has thus been tasked to push into the spotlight two highly crucial yet under-explored security issues today:

1. Evaluating Ceasefire Violations along the Line of Control in Kashmir, and Ensuring the Protection of Civilians and the Mandate of UNMOGIP; and
2. Addressing the Legacy of Nuclear Testing in French Polynesia and the Marshall Islands, and Ensuring Comprehensive Remediation and Justice for Affected Communities

In light of this, the Chairs have prepared a comprehensive study guide for the reference of all delegates. It contains information on everything – from the mandate of the Security Council to possible topics of discussion – that will serve as the basic foundation on which the committee will build during the conference proper. Still, each delegate must conduct in-depth research so that they may bring unique and nuanced perspectives on the issues to the table.

Mindful of the complexity of this challenge, the Chairs are available to address any questions or concerns at any point during the conference process. They are here to ensure that UNMUN 2026 is a smooth (and fun!) experience for all those involved.

Thank you again for choosing to embark on UNMUN 2026 with the Security Council. Best of luck in all the pre-conference preparations!



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*Best,*

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## *About the Committee:*

### **United Nations Security Council**

As one of the six principal organs of the United Nations (UN), the Security Council has primary responsibility for maintaining global peace and security. The committee leads the international community in determining whether there is a threat to the peace or an act of aggression. In the face of such occurrences, it calls upon parties to a dispute to settle it by peaceful means and recommends methods of adjustment or terms of settlement. Overall, it is the only UN body with the authority to issue resolutions that have a binding effect on member states.

#### ***Mandate and Functions***

Under the UN Charter, the functions and powers of the Security Council<sup>1</sup> are:

- To maintain international peace and security in accordance with the principles and purposes of the United Nations;
- To investigate any dispute or situation which might lead to international friction;
- To recommend methods of adjusting such disputes or the terms of settlement;
- To formulate plans for the establishment of a system to regulate armaments;
- To determine the existence of a threat to the peace or an act of aggression and to recommend what action should be taken;
- To call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- To take military action against an aggressor;
- To recommend the admission of new Members;
- To exercise the trusteeship functions of the United Nations in "strategic areas";
- To recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

#### ***Membership and Composition***

The Security Council consists of fifteen (15) members.<sup>2</sup>

Five (5) of these states hold permanent membership status, namely, the People's Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The General Assembly elects ten (10) other UN Members to be non-permanent members of the Security Council. They choose based on the criteria of:

1. The contribution of Members of the UN to the maintenance of international peace and security and to the other purposes of the Organization; and
2. To equitable geographical distribution for representation, with
  - a. 5 members coming from African and Asian States;
  - b. 1 member coming from Eastern European States;
  - c. 2 members coming from Latin American States; and
  - d. 2 members coming from Western European and other States.<sup>3</sup>

<sup>1</sup> <https://main.un.org/securitycouncil/en/content/functions-and-powers>

<sup>2</sup> <https://main.un.org/securitycouncil/en/content/current-members>

<sup>3</sup> <https://research.un.org/en/unmembers/scmembers>



On the other hand, the remaining ten (10) non-permanent members of the Security Council shall be elected for a term of two years. Current members include:

1. The Kingdom of Bahrain
2. The Republic of Colombia
3. The Democratic Republic of the Congo
4. The Kingdom of Denmark
5. The Hellenic Republic (Greece)
6. The Republic of Latvia
7. The Republic of Liberia
8. The Islamic Republic of Pakistan
9. The Republic of Panama
10. The Federal Republic of Somalia

\*Given the topics of debate set forth by this committee, the Security Council of UNMUN 2026 will also include an observer delegate from the Republic of India.

From these fifteen (15) states, the presidency of the Security Council is held by the members in the English alphabetical order of their names. Each President holds office for one (1) calendar month. For February 2026, the United Kingdom of Great Britain and Northern Ireland holds the presidency.<sup>4</sup>

### ***Structure and Voting***

Each member of the Security Council has one representative. Each member of the Security Council also has one vote.

Committee decisions on procedural matters shall be made by an affirmative vote of nine (9) members.

Committee decisions on all other matters shall be made by an affirmative vote of nine (9) members, including the concurring votes of the permanent members. This vote is valid provided that a party to a dispute shall abstain from voting in decisions under Chapter VI and under paragraph 3 of Article 52 of the UN Charter.<sup>5</sup>

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<sup>4</sup> <https://main.un.org/securitycouncil/en/content/presidency>

<sup>5</sup> <https://www.un.org/en/about-us/un-charter/chapter-5>



*Topic A:*

***Evaluating ceasefire violations along the line of control in Kashmir and ensuring the protection of civilians and the mandate of UNMOGIP.***

## **I. INTRODUCTION**

In the northernmost region of the Indian subcontinent lies Kashmir, a largely mountainous area spanning 68,000 square miles (180,000 km<sup>2</sup>) between latitudes 32° and 36° N and longitudes 74° and 80° E. Its location is in the south and west of China (Xinjiang and Tibet), southeast of Afghanistan (Wakhan Corridor), east of Pakistan (Khyber Pakhtunkhwa and Punjab), and north of India (Himachal Pradesh and Punjab). This unique geographical position – combined with its rich colonial history – has made Kashmir the epicenter of a decades-long territorial, administrative, and political dispute in South Asia.

In an attempt to mediate this conflict, the area has been divided into several political-administrative spatial units, with India controlling Jammu and Kashmir and Ladakh, Pakistan ruling Azad Kashmir and Gilgit-Baltistan, and China ruling Aksai Chin and the Trans-Karakoram Tract. Between the first two administrative regions lies the infamous Line of Control (LoC), a 740-kilometer ceasefire line established in 1949 to separate the two nation-states that had gained independence just two years prior. While it is formally referred to as a “border,” India, Pakistan, Kashmiri nationalists, and even locals living along the area actively contest its delineation, given its role in dividing peoples, lands, and resources.<sup>6</sup> The ambivalent nature of the LoC has thus made it a hotspot of communal violence, which has historically led to bloodshed, widespread displacement, and periods of diplomatic stagnation.

Despite remaining one of the most militarized borders in the world, the LoC has been a frequent site of ceasefire violations ranging from “low-level firing to major land grabbing to surgical strikes.”<sup>7</sup> Living along it has even been described as a state of “[existing] perpetually on the razor’s edge between fragile peace and open conflict.”<sup>8</sup> Many theorize that the elusiveness of peace in Kashmir may be because previous state-centric peace processes came into conflict with the plural social realities on the ground.

Thus, experts challenge the committee at hand to find a security solution in Kashmir that extends “outreach to all the local stakeholders in a multi-layered dialogue with a mandate to evolve political and institutional processes and mechanisms for addressing different – if not divergent – aspirations of its diverse communities, without undermining the plural character of its society.”<sup>9</sup> In this regard, the following parts of this study guide highlight key concepts, historical contexts, current statuses, stakeholders, and case studies essential to fulfill this goal. The Security Council must use it wisely to evaluate ceasefire violations along the LoC, ensure the protection of religious, linguistic, regional, and ethnic civilian groups, and uphold the United Nations (UN) mandate of military observers in Kashmir.

<sup>6</sup> <https://oxfordre.com/asianhistory/display/10.1093/acrefore/9780190277727.001.0001/acrefore-9780190277727-e-746>

<sup>7</sup> <https://www.bbc.com/news/world-asia-india-37702790>

<sup>8</sup> <https://www.bbc.com/news/articles/cgmj710lne3o>

<sup>9</sup> <https://journals.sagepub.com/doi/abs/10.1177/2347797015626045>



## II. KEYWORDS/CONCEPTS

**Ceasefire** - The United Nations Department of Political and Peacebuilding Affairs (UN DPPA) stresses that there is no single, universally accepted definition of a ceasefire since parties negotiate amongst themselves what a ceasefire entails in their context. Nonetheless, their 2022 Guidance on the Mediation of Ceasefires handbook also asserts that a ceasefire agreement may generally be expected to:

- “Be a formal, written agreement between two or more conflict parties;
- Lay out its purpose and broad linkages to a political process;
- Specify the date and time at which it is to come into effect (and potentially stipulate how long it will remain in effect or when it is to be reviewed);
- Define the geographical areas in which it is applicable;
- Outline prohibited and permitted military and non-military activities;
- Delineate modalities for monitoring and verifying the parties’ compliance with the agreement or, in settings where elaborate monitoring and verification is not feasible;
- Stipulate procedures for basic coordination, dispute resolution and de-escalation among the parties.”<sup>10</sup>

**Ceasefire violations (CFVs)** - The action that occurs when one or more parties involved in a ceasefire agreement fail to adhere to the terms of the agreement, resulting in the resumption of hostilities.<sup>11</sup>

**Line of Control (LoC)** - The 740-kilometer military control line separating the Indian- and Pakistani-controlled parts of the former princely state of Jammu and Kashmir.<sup>12</sup> Starting from Dhalan to NJ9842 with an imaginary line towards the Karakorum pass, the contemporary LoC is roughly the same as the original 1949 ceasefire line, except for some minor details. It serves as a de facto border, albeit without being a formally recognized international boundary. It is often the site of armed skirmishes and ceasefire violations.

**Protection of Civilians (POC)** - The mandate of a United Nations mission (particularly of peacekeeping nature) that authorizes the use of all necessary means to prevent, deter, or respond to threats of physical violence against civilians (especially those under threat of bodily harm) – up to and including the use of deadly force.<sup>13</sup> It is a responsibility that is limited to where the Mission operates, has the necessary capabilities, and is without prejudice to the primary responsibility of the host government to protect its population. The practical implementation of the POC mandate in any proposed resolution requires a comprehensive, integrated, and well-planned approach to address the various challenges faced by missions with the mandate.

<sup>10</sup> <https://peacemaker.un.org/sites/default/files/document/files/2022/11/ceasefire-guidance-2022-0.pdf>

<sup>11</sup> <https://unterm.un.org/unterm2/en/view/f4b8fa0a-0a26-489a-a6c6-fac8c968f8e3>

<sup>12</sup> <https://ijksosj.org/index.php/1/article/view/50/49>

<sup>13</sup> <https://peacekeeping.un.org/en/protection-of-civilians-mandate>



**United Nations Military Observer Group in India and Pakistan (UNMOGIP)** - With an extended mandate from the 1948 United Nations Commission for India and Pakistan (UNCIP), this team of unarmed military observers reports on the situation along the LoC in Jammu and Kashmir, investigates complaints of ceasefire violations, and submits its findings to each party and to the Secretary-General.<sup>14</sup> Its role as a third-party actor has significantly contributed to maintaining peace and stability in the region since its arrival in the mission area in 1949. However, it continues to encounter several obstacles in fulfilling its mandate. These limitations include restrictions on the movement of UNMOGIP officials, long delays in obtaining visas, and logistical difficulties in conducting operational tasks.

**Karachi Agreement (1949)** - The first major ceasefire agreement bilaterally signed by military representatives of both states in July 1949 under the auspices of the Truce Sub-committee of the United Nations Commission for India and Pakistan.<sup>15</sup> The agreement effectively ended the First Indo-Pakistani War over Kashmir by establishing an original ceasefire line in Kashmir running from “Manwar in the south, north to Keran, and from Keran east to the glacier area.” It also established the status of the suspension of hostilities in the area, the role of the United Nations as a monitoring observer, and the rules for the military positioning of both state parties.

**Tashkent Declaration (1966)** - The second major ceasefire agreement signed in Uzbekistan following the Second Indo-Pakistani War of 1965. The document reflected both India and Pakistan’s “firm resolve to restore to normal and peaceful relations between their countries and to promote understanding and friendly relations between their people.”<sup>16</sup> Together, they agreed to exert all efforts to create good neighborly relations, withdraw all armed personnel over the ceasefire line, discourage any propaganda directed against the other, and restore economic, trade, communication, and cultural exchanges. Overall, it reaffirmed their determination to uphold the principle of non-interference in each other’s internal affairs as well as their obligation under the Charter to settle their disputes through peaceful means

**Simla Agreement (1972)** - The third major bilateral peace treaty and framework agreement signed between India and Pakistan on 2 July 1972 in Shimla, India, following the Third Indo-Pakistani War of 1971.<sup>17</sup> Its purpose was to "put an end to the conflict and confrontation that have hitherto marred their relations" by conceptualizing the steps to be taken and the principles to govern the further normalization of India–Pakistan ties. It contains clauses on refraining from the threat or use of force, preventing hostile propaganda directed against each other, and formally renaming the previous ceasefire line as the Line of Control (LoC).

<sup>14</sup> <https://unmogip.unmissions.org/background>

<sup>15</sup> [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/karachi\\_agreement\\_1949.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/karachi_agreement_1949.pdf)

<sup>16</sup> <https://peacemaker.un.org/sites/default/files/document/files/2024/05/in20pk660110tashkentdeclaration.pdf>

<sup>17</sup> <https://www.meaindia.gov.in/Portal/LegalTreatiesDoc/PA72B1578.pdf>



### III. BACKGROUND/HISTORICAL CONTEXT

Instability in the Kashmir region likely has its bitter origins in the ‘divide and rule’ governing policy adopted by the British Colonial Empire. While distinct Hindu and Muslim identities had already been established in pre-colonial India (mainly due to 1000 CE Islamic conquests in the region that had been predominantly Hindu since the Vedic period from 1500 BCE to 500 BCE)<sup>18</sup>, the two cultures coexisted for centuries under other empires and smaller kingdoms.<sup>19</sup> In the following centuries, even other core belief systems (including Buddhism and Jainism) spread alongside the two in the subcontinent.

However, scholars suggest that the arrival of the British drastically changed this dynamic. At the turn of the 16th century, the East India Company (EIC) established itself in India with the intention of trading goods such as cotton, silk, tea, and spices.<sup>20</sup> However, as their wealth grew, so too did their imperialistic desire for power and territory. They soon transformed from a corporation to an entity akin to a power-hungry state with the wealth and even military capabilities to execute their aggressive colonial objectives.<sup>21</sup> By the 1850s, the EIC’s involvement in local politics had begun to incite frequent violence and revolts from the locals of the subcontinent. In response, the British government saw the necessity of a more direct rule. They swiftly took control of the EIC’s assets, effectively abolished the corporation, and passed the “Government of India Act” on 2 August 1858, which transferred autocracy from the company to the royal crown.<sup>22</sup> Recognizing the need to weaken any opposition against this new foreign rule, the government adopted a strategy of encouraging rifts among religious lines to justify control in the name of peace or law and order.<sup>23</sup> From 1858 to 1947, British-fostered communal violence between Hindus, Muslims, Sikhs, and other groups possibly disrupted decades of peaceful social, cultural, and political development in India.<sup>24</sup>

This control continued until the end of the Second World War, when mass decolonization efforts threatened the existence of already weakened colonial empires. Great Britain was no exception. In the face of mass destruction at home and unpopular rule abroad, the crown decided to withdraw as hastily as possible on 15 August 1947.<sup>25</sup>

<sup>18</sup> <https://doi.org/10.1017/S0010417500019927>

<sup>19</sup> <https://education.nationalgeographic.org/resource/ancient-civilizations-india/>

<sup>20</sup> [https://books.google.it/books?hl=it&lr=&id=yrr7EAAAQBAJ&oi=fnd&pg=PA34&dq=arrival+of+the+eic+in+india&ots=MLgAhURifk&sig=FZobArctWUGt7VHW9LRXWqZXJPY&redir\\_esc=y#v=onepage&q=arrival%20of%20the%20eic%20in%20india&f=false](https://books.google.it/books?hl=it&lr=&id=yrr7EAAAQBAJ&oi=fnd&pg=PA34&dq=arrival+of+the+eic+in+india&ots=MLgAhURifk&sig=FZobArctWUGt7VHW9LRXWqZXJPY&redir_esc=y#v=onepage&q=arrival%20of%20the%20eic%20in%20india&f=false),

<sup>21</sup> <https://medium.com/the-still-point/how-british-colonialism-contributed-to-violence-during-the-partition-of-india-in-1947-eee3d77ef77d>

<sup>22</sup> <https://cbc.gov.in/cbcdev/crown/crown1.html>

<sup>23</sup> [https://www.researchgate.net/profile/Kalim-Siddiqui/publication/357803622\\_2022\\_British\\_Imperialism\\_Religion\\_Politics\\_of\\_Divide\\_and\\_Rule\\_in\\_the\\_Indian-Subcontinent\\_-World\\_Financial\\_Review/links/61fa643b007fb504472f88ae/2022-British-Imperialism-Religion-Politics-of-Divide-and-Rule-in-the-Indian-Subcontinent-World-Financial-Review.pdf](https://www.researchgate.net/profile/Kalim-Siddiqui/publication/357803622_2022_British_Imperialism_Religion_Politics_of_Divide_and_Rule_in_the_Indian-Subcontinent_-World_Financial_Review/links/61fa643b007fb504472f88ae/2022-British-Imperialism-Religion-Politics-of-Divide-and-Rule-in-the-Indian-Subcontinent-World-Financial-Review.pdf)

<sup>24</sup> <https://ojs.ahss.org.pk/journal/article/download/896/938/1679>

<sup>25</sup> <https://www.nam.ac.uk/explore/independence-and-partition-1947>



Ultimately, identity conflicts and political instability plagued the approximately 562 Princely states left behind in the Indian subcontinent.<sup>26</sup> Nonetheless, it also became a young nation left with the opportunity to divide itself into two independent dominions based on religious majorities: the Hindu-majority Dominion of India (which is the Republic of India today) and the Muslim-majority Dominion of Pakistan (which is the Islamic Republic of Pakistan and the People's Republic of Bangladesh today).<sup>27</sup> The result, although potentially politically liberating, was completely catastrophic from a humanitarian perspective. Millions of Muslims forcibly migrated to West and East Pakistan (Bangladesh today), while millions of Hindus and Sikhs forcibly migrated to the slightly shrunken India.<sup>28</sup> In the process, the partition racked up a death toll of up to two million and unprecedented amounts of massacres, arson, forced conversions, mass abductions, and violence against women and children.<sup>29</sup>

One particular princely state in the Himalayan region, known as Jammu and Kashmir, quickly became the epicenter of the conflict due to a geographical location that permitted the choice to join either India or Pakistan.<sup>30</sup> As a Muslim-majority state ruled by the Hindu Maharaja Hari Singh, however, this decision was a difficult one to make. For months, he initially sought independence, and the area remained disputed.<sup>31</sup>

This status quo came to a halt when the First War on Kashmir broke out in October 1947, following an alleged territorial invasion by Pakistani tribesmen who came from the vicinity of Poonch (a district close to the new Pakistani border).<sup>32</sup> The action apparently forced the Maharaja to ask India for its assistance in driving out invasions.<sup>33</sup> In return, he signed the 1947 Instrument of Accession to the Indian state against popular sentiment.<sup>34</sup> The result was more fighting until January 1948, when the Security Council adopted resolution 39 to establish the United Nations Commission for India and Pakistan (UNCIP) to investigate and mediate the dispute.<sup>35</sup> Three months later, the Council decided to enlarge membership and recommend various measures (including the use of observers) to stop the fighting.<sup>36</sup> After negotiations with the two sides, the Commission passed a three-part resolution in August 1948 that outlined a ceasefire, terms for a truce, and procedures for negotiation regarding a plebiscite to allow the Kashmiri people to determine whether to join India or Pakistan.<sup>37</sup> Both countries accepted the resolution, with a ceasefire taking effect on 31 December 1948 and the first team of these unarmed military observers arriving in the mission area in January 1949.<sup>38</sup> These arrangements

<sup>26</sup> <https://www.bbc.com/news/world-asia-india-66370541>

<sup>27</sup> [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Foreign\\_Affairs\\_Defence\\_and\\_Trade/Completed\\_inquiries/1999-02/nuclear/report/c02](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Affairs_Defence_and_Trade/Completed_inquiries/1999-02/nuclear/report/c02)

<sup>28</sup> <https://www.aljazeera.com/features/2021/2/14/from-pakistan-to-india-tracing-my-grandmothers-refugee-journey>

<sup>29</sup> <https://www.aljazeera.com/news/2025/5/9/india-pakistan-tensions-a-brief-history-of-conflict>

<sup>30</sup> [https://qurtuba.edu.pk/thedialogue/The%20Dialogue/7\\_3/Dialogue\\_July\\_September2012\\_255-264.pdf](https://qurtuba.edu.pk/thedialogue/The%20Dialogue/7_3/Dialogue_July_September2012_255-264.pdf)

<sup>31</sup> <https://www.bbc.com/news/articles/c30q09638n8o>

<sup>32</sup> <https://doi.org/10.1080/14736480802055455>

<sup>33</sup> [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3274382](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3274382)

<sup>34</sup> [https://cjp.org.in/wp-content/uploads/2019/08/instrument\\_of\\_accession\\_of\\_jammu\\_and\\_kashmir\\_state.pdf](https://cjp.org.in/wp-content/uploads/2019/08/instrument_of_accession_of_jammu_and_kashmir_state.pdf)

<sup>35</sup> <https://unmogip.unmissions.org/background>

<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.



remained in effect until the conclusion of the Karachi Agreement on 27 July 1949, which established a ceasefire line to be supervised by UN military observers.<sup>39</sup> Following its termination, the Security Council passed Resolution 91 two years later, which decided that a new United Nations Military Observer Group in India and Pakistan (UNMOGIP) should continue the work of the old UNCIP to oversee the ceasefire in Jammu and Kashmir.<sup>40</sup> New functions included observing and reporting, investigating complaints of ceasefire violations, and submitting its findings to each party and to the Secretary-General.<sup>41</sup>

Despite these advancements in the Kashmir peace process, the introduction of a new actor in 1963 reshaped the geopolitical dimensions of the conflict. That year, Pakistan signed a boundary agreement with China that ceded the Shaksgam Valley – a sparsely populated section of Gilgit-Baltistan claimed by India – in exchange for Chinese diplomatic and cartographic recognition.<sup>42</sup> Though the accord included a clause deferring final resolution pending the outcome of the Kashmir dispute, it effectively solidified Chinese presence and aligned two of India's rivals along its northern frontier. The latter denounced the pact as illegitimate, arguing that Pakistan had no authority to surrender territory it did not legally control.<sup>43</sup> Strategically, the agreement marked a shift in regional alliances and bolstered Pakistan's position. The Muslim-majority country soon began recalibrating its approach toward Kashmir, which culminated in the outbreak of the Second War in 1965.

In the face of a weakened India and growing unrest in Kashmir, Pakistan allegedly launched a military operation – masked as an indigenous uprising – to provide aid to initiate an anti-India rebellion in Kashmir known as Operation Gibraltar.<sup>44</sup> They reportedly planned to use armed guerrilla bands to destroy India's communication system and attack nodal points to tie up the Indian army. The move was largely unsuccessful, causing a major conflict after the Indian forces crossed the international border in September 1965. Hostilities only ceased after Soviet mediation led to the signing of the Tashkent Agreement in 1966.<sup>45</sup>

The Kashmir issue shifted from a conventional territorial dispute to one occurring under the shadow of potential nuclear confrontation in 1974. That year, India developed its first nuclear weapon and tested it at Pokhran Test Range in Rajasthan – an army base only 150 km from the Pakistan border.<sup>46</sup> Though publicly described as a "peaceful nuclear explosion," the choice of location and timing sent an unmistakable message of military and technological superiority over its rival. The move prompted Pakistan to start its own nuclear program, successfully developing and testing its first nuclear weapon in 1998.<sup>47</sup>

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> <https://treaty.mfa.gov.cn/tykfiles/20180718/1531876411689.pdf> Z

<sup>43</sup> <https://snu.edu.in/centres/centre-of-excellence-for-himalayan-studies/research/new-chinese-road-in-shaksgam-valley-a-brief-historical-background/>

<sup>44</sup> <https://www.bbc.com/news/world-asia-34136689>

<sup>45</sup> <https://www.meaindia.gov.in/bilateral-documents.htm?dtl/5993/Tashkent+Declaration>

<sup>46</sup> <https://www.armscontrol.org/act/2024-11/features/legacy-indias-nuclear-weapons-test>

<sup>47</sup> <https://armscontrolcenter.org/countries/india-and-pakistan/>



The possession of nuclear power by both parties thus converted their next conflict – the Kargil war – into the most tense clash yet.<sup>48</sup> In 1999, Indian forces discovered that Pakistani paramilitary troops had infiltrated Indian territory in the Kargil district and occupied key military outposts left abandoned by Indian forces during the harsh winter months. Initially, Pakistan labeled these troops as local militants.<sup>49</sup> Still, later-found evidence revealed that the country's military likely orchestrated the incursion (possibly without the knowledge of the then-Prime Minister Nawaz Sharif).<sup>50</sup> As the conflict unfolded, India launched a strong military response to reclaim the occupied territories. Considering the new nuclear capabilities of both parties, international pressure mounted on Pakistan as Indian forces advanced. Finally, the parties reached a ceasefire, and Pakistani troops withdrew by late July 1999. The war resulted in significant casualties on both sides, with estimates of Indian military deaths at around 527 and Pakistani losses ranging from 400 to 4,000.<sup>51</sup>

By the early 2000s, relentless cycles of insurgency, militarization, and crackdowns continued despite the lack of overt wars. At the same time, international diplomacy yielded minimal progress due to mutual distrust. On the ground, even ordinary Kashmiris endured hardship under a pervasive security state. As a result, India and Pakistan signed a ceasefire agreement in 2003 to halt 14 years of cross-border gun battles in the disputed Kashmir region.<sup>52</sup> While some scholars maintained that the cease-fire could buy the neighbors time to strike a comprehensive deal on sharing Kashmir, others criticized it as more “symbolic than substantive” since it restricts the countries’ conventional armies from attacking each other, but fails to account for paramilitants who launch deadly raids.<sup>53</sup> This ambiguity paved the way for frequent ceasefire violations – particularly along the volatile LoC – from the 2000s to the 2010s, effectively entrenching Kashmir into a humanitarian, political, and geopolitical stalemate.<sup>54</sup>

<sup>48</sup> <https://www.ebsco.com/research-starters/military-history-and-science/kargil-war>

<sup>49</sup> <https://doi.org/10.1080/09700160902790019>

<sup>50</sup> <https://www.bbc.com/news/world-asia-44239582>

<sup>51</sup> <https://www.bbc.com/news/world-asia-49101016>

<sup>52</sup> <https://web.archive.org/web/20250115153025/https://www.nytimes.com/2003/11/26/world/indian-and-pakistani-forces-agree-to-cease-fire-in-kashmir.html>

<sup>53</sup> <https://www.latimes.com/archives/la-xpm-2003-nov-26-fg-ceasefire26-story.html>

<sup>54</sup> <https://carnegieendowment.org/research/2018/10/ceasefire-violations-in-kashmir-a-war-by-other-means?lang=en>



#### IV. CURRENT STATUS

The Kashmir conflict regained prominence in February 2019 when a 22-year-old Pakistan-based Jaish-e-Mohammad (JeM) militant group rebel from the Pulwama district in Indian-administered Kashmir drove an explosives-laden vehicle into an army convoy.<sup>55</sup> The attack killed more than 40 Indian soldiers, resulting in a complete catastrophe. For the first time since the 1971 war, Indian and Pakistani air forces indulged in cross-border strikes and breaches into each other's territories. On 26 February, Indian jets flew into the Balakot region and bombed an alleged JeM training center. Air skirmishes followed, leading to the downing of at least two Indian jets and the capture of one Indian fighter pilot by Pakistan. The latter swiftly returned the individual as a "goodwill gesture," likely an attempt to prevent further escalation.

While the two states averted yet another disastrous war, the spell of calm in Kashmir came to an end on 5 August 2019 when India's parliament shockingly passed a decree that revoked Articles 370 and 35A of its constitution.<sup>56</sup> Effective since October 1949, the first clause granted Kashmir partial autonomy over internal administration and legislation in all matters except finance, defence, foreign affairs, and communications.<sup>57</sup> It historically paved the way for the Indian-administered region to establish a separate constitution, flag, and property rights distinct from those of non-residents. On the other hand, the second provision empowered state lawmakers to ensure special rights and privileges for permanent residents of the state. Formerly added to the original Article in 1954, its revocation thus permitted non-Kashmiris to buy property in the region, raising fears of an Indian-engineered "demographic shift" in the Muslim-majority Kashmir.<sup>58</sup> Overall, India's move led to the bifurcation of Jammu and Kashmir into two "union territories" administered by the federal government at New Delhi.<sup>59</sup>

To preempt public uproar over the highly unpopular decision, the Indian government placed the region under an immediate and unprecedented lockdown that lasted for five months.<sup>60</sup> They deployed tens of thousands of troops to what was already the most militarized region in the world, with about 500,000 Indian troops stationed there. They detained hundreds of politicians and even placed two of the state's former chief ministers under house arrest. They suspended media-broadcast communications and imposed strict curfews. If any protests defying such measures broke out, they met the movement with violence.<sup>61</sup>

After approximately a year of skirmishes and hundreds of violent exchanges, however, the militaries of both India and Pakistan released a joint statement to "address each other's core

<sup>55</sup> <https://www.bbc.com/news/world-asia-50826419>

<sup>56</sup> <https://www.aljazeera.com/news/2019/8/5/india-revokes-disputed-kashmirs-special-status-with-rush-decree>

<sup>57</sup> <https://www.bbc.com/news/world-asia-india-49231619>

<sup>58</sup> <https://www.aljazeera.com/news/2023/8/5/indias-kashmir-clampdown-continues-four-years-after-article-370-abrogated>

<sup>59</sup> <https://www.aljazeera.com/news/2020/1/1/how-2019-changed-the-kashmir-dispute-forever>

<sup>60</sup> <https://www.aljazeera.com/news/2019/8/5/darkest-day-uproar-as-india-strips-kashmir-of-special-status>

<sup>61</sup> <https://www.bbc.com/news/world-asia-india-49261322>



issues and concerns, which have the propensity to disturb peace and lead to violence.”<sup>62</sup> The rare document declared that the two Directors General of Military Operations of India and Pakistan had agreed to a strict observance of the original 2003 ceasefire along the LoC and to continue communicating through a hotline to resolve potential misunderstandings.<sup>63</sup>

Still, tensions resurfaced two years later in 2023 when India’s Supreme Court issued a ruling upholding the 2019 decision to revoke Article 370. The five-judge constitutional bench justified its constitutional validity by asserting that the region’s special status had always been a “temporary provision,” originally conceived as an interim arrangement necessitated by the war conditions prevailing in the state at the time of its accession to India.<sup>64</sup> In the end, they ruled that Kashmir had to be restored to the same statehood as any other Indian state – with no separate autonomy rights – “at the earliest and as soon as possible.” Pakistan’s Ministry of Foreign Affairs strongly condemned the ruling, stating that “India’s illegal and unilateral actions of 5 August 2019 were in blatant violation of the United Nations Security Council Resolutions and international law, including the 4th Geneva Convention and India’s own commitments to implement the UNSC Resolutions. Notwithstanding the solemn commitments made by the Government of India to the people of Jammu & Kashmir, the Security Council, and Pakistan, to abide by and implement relevant Security Council resolutions, India has progressively reneged on these commitments at every stage.”<sup>65</sup>

Violent exchanges promptly returned and remained in effect for two years. Most recently, May 2025 saw a series of strikes and counter-strikes from both sides. Notable escalations included India’s “Operation Sindoor” that targeted “terrorist camps” in Pakistan and Pakistan-administered Kashmir,<sup>66</sup> as well as Pakistan’s “Operation Bunyan Marsoos” that counter-targeted at least six Indian military bases only 3 days later.<sup>67</sup> Following mediation by the United States of America, the two countries reached their fifth major and most recent ceasefire agreement.<sup>68</sup> However, explosions rang out across parts of Indian-administered Kashmir only hours later, signaling violations of the truce.<sup>69</sup> Cross-border fighting remains ongoing as of writing, casting doubt on the durability of the latest ceasefire and the prospects for lasting peace in the region. Moving forward, the challenge for the Security Council is to break this diplomatic deadlock, ensure credible oversight of ceasefire violations, and uphold civilian protection along the LoC. Strengthening the role and relevance of UNMOGIP remains a critical part of that effort.

<sup>62</sup> <https://www.reuters.com/world/asia-pacific/india-pakistan-militaries-agree-stop-cross-border-firing-rare-joint-statement-2021-02-25/>

<sup>63</sup> <https://www.nytimes.com/2021/02/25/world/asia/pakistan-india-ceasefire.html>

<sup>64</sup> <https://www.aljazeera.com/news/2023/12/11/whats-article-370-what-to-know-about-india-top-court-verdict-on-kashmir>

<sup>65</sup> <https://www.mofa.gov.pk/jammu-and-kashmir-dispute>

<sup>66</sup> <https://www.aljazeera.com/news/2025/5/7/why-did-india-strike-pakistan-all-we-know-about-operation-sindoor>

<sup>67</sup> <https://www.aljazeera.com/news/2025/5/10/pakistan-launches-operation-bunyan-marsoos-what-we-know-so-far>

<sup>68</sup> <https://www.aljazeera.com/news/2025/5/10/india-and-pakistan-agree-ceasefire-what-does-it-mean>

<sup>69</sup> <https://www.aljazeera.com/news/2025/5/10/india-and-pakistan-agree-to-an-immediate-ceasefire-after-days-of-escalation>



## V. MAIN ACTORS/STAKEHOLDERS

### *Global Powers: United States, China, Russia*

The **United States** is seeking to act as a region balancer and mediator. The strategic perspective of Washington is to prevent a conflict between two nuclear-armed neighbors to escalate and end in a catastrophe. Nevertheless, it is not an easy task for United States to comply with. On one hand, they have tried to deepen connections with New Delhi as part of their indo-pacific strategy in search of counterbalancing China's influence in the region. On the other hand, they have maintained a relationship with Baghdad for different security purposes, Pakistan has a non-NATO ally status.

The mediation role of United States, currently under the policies of Donald J. Trump came into effect as of May 2025 when there was a military flare-up that was quickly settled and de-escalated through U.S mediation. India has constantly rejected and positioned with reluctance to any third party intervention in the region, but in reality it has accepted and acted accordingly to Washington's crisis management; they view the approach of the U.S not aimed to directly settle the dispute, but rather to maintain the strategic partnership towards China.

The **People's Republic of China**, different to their involvement in other situations, is not a neutral State over this situation as they are directly involved in the broader Kashmir dispute. Not only are they involved in territorial disputes, but they have been a key partner for Pakistan, even having investment and projects that directly affect and involve Pakistan's Kashmir region, signaling a clear stance towards Pakistani occupation of that part of the territory. This has led to a more complex situation for India as any escalation over the LoC might lead to heightened tensions with China's border dispute. As a matter of fact, it was China who asked for UNSC consultation over the revoked Article 370 from India.<sup>70</sup>

Regarding the **Russian Federation**, New Delhi and Moscow have both maintained a *Quid pro quo* with a strategic neutrality from both towards their action in their own spheres of influence. They defend a doctrine of non-interference on "internal affairs". During the last escalation, Putin dialed Modi to express full support to fight against terror, in reference to the situation in Kashmir.<sup>71</sup> Earlier in 2019, with the modification of Article 370, Moscow firmly supported the decision of India and even argued these were all done within the framework of constitution. They have also supported the stance of India on maintaining a bilateral resolution to the conflict under the Simla Agreements.

### *Multilateral Organisations: European Union, Organisation of Islamic Cooperation*

The **European Union** has intended to work towards a strengthened regional stability while keeping a the partnership with India.<sup>72</sup> Nevertheless, they have expressed questions and doubts

<sup>70</sup> <https://www.securitycouncilreport.org/whatsinblue/2019/08/jammu-and-kashmir-consultations.php>

<sup>71</sup> <https://www.thehindu.com/news/national/putin-speaks-to-pm-modi-says-perpetrators-of-pahalgam-attack-must-be-brought-to-justice/article69540500.ece>

<sup>72</sup> [https://www.europarl.europa.eu/doceo/document/A-6-2007-0158\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-6-2007-0158_EN.html)



regarding the human rights respect and conditions for the people in Kashmir. Still, the role of EU & partners has been more of normative and limited as any wrongly enforced pressure might have countereffects to their economic interests with India. On the other hand, the Organization of Islamic Cooperation has strongly supported Pakistan, and frames the issue under the respect and justice for Muslim communities of Kashmir to be able to self identify. OIC calls for the following of UNSC resolutions, and has constantly alleged abuses from India towards Muslims of Jammu and Kashmir. This organization is perhaps the strongest diplomatic tie supporting Pakistan,<sup>73</sup> and giving Baghdad an international resolution and is mostly supporting India.

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<sup>73</sup> <https://mofa.gov.pk/press-releases/joint-communique-of-the-meeting-of-the-oic-contact-group-on-jammu-and-kashmir>



*Topic B:*

***Addressing the legacy of nuclear testing in French Polynesia and the Marshall Islands, and ensuring comprehensive remediation and justice for affected communities.***

## **I. INTRODUCTION**

In the middle of the Pacific Ocean lie island chains that, while small in landmass, have great global significance in both geopolitics and science. Among these are the Marshall Islands and French Polynesia—territories that became central to the nuclear ambitions of major powers during the twentieth century. From 1946 to 1996, the United States and France conducted over 250 nuclear tests across these islands, forever altering their landscapes, ecosystems, and communities.<sup>74</sup>

The geographic isolation of these territories made them strategically attractive to testing states, but this same remoteness also left local populations vulnerable. The detonations spread radioactive fallout across atolls, reefs, and waters, embedding themselves into food systems and bodies alike.<sup>75</sup> Health problems, intergenerational effects, displacement, and cultural loss remain pressing concerns. Meanwhile, the lack of adequate remediation and compensation has fostered what many scholars and activists' term nuclear colonialism<sup>76</sup>—a system where Indigenous communities disproportionately shouldered the burdens of global security agendas.

Beyond the nuclear legacy, the Pacific now faces aggravated risks. Rising seas and stronger storms linked to climate change threaten fragile nuclear waste sites such as the Runit Dome, heightening fears of further contamination. Simultaneously, Pacific nations and civil society groups continue to demand recognition, reparations, and justice, often invoking human rights frameworks and the Treaty on the Prohibition of Nuclear Weapons to hold former testing states accountable.

For this reason, the following study guide highlights key concepts, historical contexts, current realities, stakeholders, and case studies essential to understanding the nuclear legacy in the Pacific.

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<sup>74</sup> Greenpeace International. n.d. "Legacy of US Nuclear Weapons Tests in the Marshall Islands Created Global Radiation Exposure: New Study." Greenpeace International.

<sup>75</sup> Sanchez, Camilo, and Greenpeace International. n.d. "Tracing Radiation through the Marshall Islands: Reflections from a Greenpeace Nuclear Specialist." Greenpeace International.

<sup>76</sup> Addressing the legacy of nuclear weapons: providing victim assistance and environmental remediation to Member States affected by the use or testing of nuclear weapons The General Assembly, Recalling its resolution 78/240 of 22 December 2023.



## II. KEYWORDS/CONCEPTS

**Atoll** – A ring-shaped coral reef or island that surrounds a lagoon.

**Nuclear Testing** – The controlled detonation of nuclear weapons for military or scientific purposes.

**Fallout** – Radioactive particles released during a nuclear explosion that settle on land, water, and living organisms, causing long-term contamination.

**Radiation Exposure** – Contact with radiation, often from fallout. It can cause cancers, genetic damage, and environmental degradation.

**Displacement** – The forced relocation of communities due to unsafe levels of radiation or destroyed environments.

**Intergenerational Impacts** – Long-term effects of nuclear testing that extend to future generations, including health issues, cultural loss, and disrupted livelihoods.

**Nuclear Colonialism** – A critical term describing how Indigenous and colonized peoples were disproportionately targeted for nuclear testing by powerful states, reflecting global inequality.

**Reparations / Compensation** – Financial or material redress provided to victims of nuclear testing, including healthcare, relocation aid, and community investments.

**Runit Dome** – A concrete containment structure on Enewetak Atoll built to hold nuclear waste from U.S. testing.

**Treaty on the Prohibition of Nuclear Weapons (TPNW)** – A 2017 UN treaty banning nuclear weapons and requiring victim assistance and environmental remediation. Neither the U.S. nor France are parties.

**Compact of Free Association (COFA)** – Agreement between the U.S. and the Marshall Islands (and other Pacific states) that governs economic aid, defense, and limited nuclear compensation.

**Climate-Nuclear Nexus** – The intersection between climate change and nuclear legacies, where sea-level rise and extreme weather threaten contaminated sites and increase risks of radiation leaks.

**FAS (Freely Associated States)** – Pacific island states (Marshall Islands, Micronesia, Palau) that have political and economic agreements with the U.S., often tied to the nuclear legacy issues from U.S. testing programs, as well as defense, migration, and development cooperation frameworks.



### III. BACKGROUND/HISTORICAL CONTEXT

Between the mid-twentieth century and the 1990s, the United States and France carried out extensive nuclear testing in the Pacific. In the Marshall Islands, then administered by the United States under UN protection, sixty-seven nuclear detonations were conducted between 1946 and 1958. The most infamous of these, the Castle Bravo test of 1954, produced a powerful explosion of fifteen megatons and covered nearby Atolls such as Rongelap and Utirik with radioactive fallout. Entire populations were displaced under the idea of “temporary” relocation, and many communities dealt with severe radiation sickness, long-term cancer risks, contaminated food chains, and intergenerational health effects. Bikini and Enewetak Atolls were rendered uninhabitable, forcing residents into years of exile.

In French Polynesia, France initiated its own testing program after the loss of Algeria as a testing ground, beginning with atmospheric detonations at Mururoa and Fangataufa Atolls in 1966. Until 1974, forty-six atmospheric explosions were conducted, spreading radioactive material across the islands, before France changed to underground tests, ultimately completing one hundred ninety-three detonations by 1996. These experiments were crucial to the development of France’s nuclear deterrent, but they were carried out under colonial conditions in which the local population had little say. Reports and studies now show increased rates of thyroid cancer and other radiation-linked illnesses, while investigative journalism has revealed that France underestimated the full scale of fallout.

### IV. CURRENT STATUS

Nearly three decades after the last French nuclear test and over six decades since the United States concluded detonations in the Marshall Islands, the legacies of nuclear testing remain visibly apparent and politically charged. In French Polynesia, the issue of recognition and responsibility continues to galvanize public debate. A parliamentary report completed in 2023–2025 recommended that the French government issue an official apology for the 193 tests at Mururoa and Fangataufa. Despite the availability of the Morin Law compensation mechanism since 2010, many Polynesian claimants still face major hurdles. Investigative reporting has discovered that fewer than half of the nearly three thousand compensation claims have been accepted, due to very specific eligibility criteria. Recent scientific studies based on declassified French military documents and atmospheric modeling suggest that France undervalued the levels of radiation exposure for many of the tests. These findings imply that tens of thousands of people may have been exposed over the compensation limit, challenging the adequacy of the current system. In the meantime, there have been claims of a lack of openness, with reports that French government departments tried to discredit independent research rather than engage completely in declassifying relevant information.



In the Marshall Islands, the main concern is still the inadequacy of United States compensation and remediation efforts. Under the 1986 Compact of Free Association, the United States established the Nuclear Claims Tribunal with a \$150 million trust fund. While the Tribunal awarded more than two billion dollars in claims, the vast majority of the awards have not been funded due to insufficient funds.

New information shows that fallout from the U.S. testing program extended well beyond the four northern atolls traditionally characterized as "heavily affected," reaching even to Majuro, the capital. This challenges the limiting paradigm within which the U.S. has historically delineated eligibility for compensation.

There are also public health and environmental concerns beyond compensation. Marshallese are not provided with adequate cancer treatment, and surveillance of their health remains untrustworthy. Global warming and sea-level rise now compound dangers at contaminated facilities, particularly at Enewetak, where the infamous Runit Dome holds radioactive waste in a decaying concrete dome exposed to ocean water. All this is evidence of the intersection between nuclear legacies and more existential risks facing small island nations.

Both instances are being reconsidered at the international level. The UN General Assembly approval in December 2024 of Resolution 79/60 recognized the harm caused by nuclear testing, reaffirmed that remediation lies with those states that conducted the tests, and called for a conference in 2026 to further make proposals on victim assistance and environmental remediation. In the United States, legislators have introduced bipartisan legislation that would provide health benefits to veterans and clean-up workers who were exposed in the Marshall Islands and sponsor resolutions urging an official apology. In France, politicians are increasingly being compelled to modify the Morin Law to make compensation more accessible and to launch truth-telling campaigns.

## V. MAIN ACTORS/STAKEHOLDERS

### *Global Powers: United States, France*

**The United States** remains a primary stakeholder due to the sixty-seven nuclear tests it conducted in the Marshall Islands under the UN Trusteeship, making it directly responsible for long-term health, environmental, and displacement impacts. Washington maintains that the 1986 Compact of Free Association settled nuclear claims, though the insufficiently funded Nuclear Claims Tribunal and new scientific evidence on wider fallout challenge this position. While some U.S. lawmakers have proposed expanded healthcare, updated compensation, and even an official apology, these measures have not yet materialized. As a Permanent Member of the Security Council, the U.S. holds significant influence over any international action on remediation, yet its reluctance to fully revisit historical responsibility continues to shape the pace and direction of progress.



**The French Republic** is equally central because it has conducted one hundred ninety-three nuclear tests in French Polynesia, leaving enduring health, ecological, and cultural consequences for local communities. Although Paris has implemented the Morin Law to compensate victims, restrictive eligibility criteria and recently declassified documents showing underestimated fallout have prompted criticism. A French parliamentary report has since recommended an official apology, broader compensation, and greater transparency, signaling internal pressure for reform. As a nuclear power and Permanent Member of the Security Council, France's decisions carry major weight in shaping international expectations around remediation, yet it remains cautious about assuming full responsibility for historical harm.

*Primary Impacted Communities: The Republic of Marshall Islands, French Polynesia*

**The Republic of Marshall Islands** remains one of the most severely affected territories, facing contaminated land, elevated cancer rates, displacement and risks associated with sites such as the Runit Dome. The government consistently calls for expanded United States compensation, stronger medical infrastructure and updated recognition of the true geographic spread of fallout. Although the RMI does not hold major geopolitical power, it plays a meaningful moral and diplomatic role by framing nuclear justice as a matter of human rights and linking it to climate vulnerability, which increases pressure on the United States to address its responsibilities.

**French Polynesia** has endured significant health damage, social disruption and cultural loss tied to three decades of nuclear testing. Local authorities and civil society advocate for full recognition of harm, simplified access to compensation and the declassification of documents needed for accurate assessment of radiation exposure. While French Polynesia does not negotiate independently from France, its activism has influenced internal French debates, encouraged recommendations for policy reform and challenged official narratives. These efforts underscore France's responsibility to provide comprehensive remediation and transparent information.

*Multilateral Organisations: United Nations System*

**The United Nations** contributes to the issue through the General Assembly, the Human Rights Council and the International Atomic Energy Agency. Resolution 79.60 of 2024 reaffirmed that states responsible for nuclear testing must provide environmental cleanup and victim assistance, while UN human rights mechanisms continue to emphasize the rights of Indigenous and impacted communities. The UN does not have enforcement powers, but it shapes global norms, provides neutral platforms for discussion and maintains pressure on responsible states to increase transparency and accountability.



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