

## ACTUAL ISSUES OF LAW ENFORCEMENT OF THE «GLOBAL ZERO» CONCEPT IN THE IMPLEMENTATION OF THE DISARMAMENT PRINCIPLE IN INTERNATIONAL SECURITY LAW

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*Within the article of the unpredictability and destabilization of modern international relations, in particular, the aggravation of the situation on the Korean Peninsula and the Middle East, the issue of nuclear disarmament is gaining increasing importance. This article focuses on the evolution of the global debate on the ambitious Global Zero idea, which calls for a total prohibition on nuclear arms and the elimination of all their arsenals. The article describes in detail the background and history of this idea, its development during the Cold War and its final form. The inconsistency between official statements in the spirit of disarmament and the continuing offensive nature of US nuclear doctrine has led to some inconsistencies in US policy in this area. This article also focuses on the current problems and prospects of complete nuclear disarmament, two nuclear powers – the Russian Federation and the USA, as well as a number of member countries of the nuclear club (Great Britain and France) or those who associate their security with the American «nuclear umbrella» (Japan and the Republic of Korea). In conclusion, we can say that this scientific article describes in detail the friction and legal problems of the realization of the disarmament mechanism and the concept of «Global Zero», as well as analyzes the data of world problems using this concept.*

**Keywords:** global zero, disarmament, law enforcement, concept, international security, nuclear disarmament, international relations.

Recently, measures to form and improve the nuclear safety system have been aimed at maintaining nuclear stability. Today, the concept of global nuclear disarmament has become a much more radical solution.

The first discussions about denuclearization (that is, the renunciation of nuclear arms) began immediately after the bombing of Hiroshima and Nagasaki. In December 1945, the USSR, the USA and Great Britain agreed to form the UN atomic energy commission. In January 1946, the General Assembly passed a resolution calling on the Commission to develop a plan to establish international control over nuclear energy. In March 1946, the USA presented the Acheson-Lilienthal plan, which provided for the deployment of a closed nuclear fuel cycle for international control and the destruction of nuclear warheads in 5-6 years. However, Moscow rejected this proposal: it was afraid that Washington, by such ordered actions, would try to prevent the creation of the Soviet atomic bomb and strengthen the atomic monopoly. Since 1949, the work of the commission has been suspended [6].

In 1955, eleven world-famous scientists led by A. Einstein, M. Born and B. Russell made an anti-war appeal (Russell-Einstein manifesto).

They urged to do everything possible to prevent a repeat of the tragic events of August 1945 [7].

The first major contribution to this process was the Treaty on the Prohibition of testing nuclear arms in three environments (in the atmosphere, space and under water), concluded on August 5, 1963 in Moscow. The exception was made only for underground nuclear tests, which was explained by their high cost and technical complexity and, as a result, the impossibility of implementation for many states.

However, the main pillar supporting the viability of the nuclear non-proliferation system is considered to be the Treaty on the non-proliferation of nuclear arms (NAC), approved by the UN General Assembly on June 12, 1968, which is based on three fundamental foundation principles: non-proliferation, disarmament and quiet utilize of atomic advances and materials [8].

In 1995, a review conference of the Treaty on the non-proliferation of nuclear arms was held at UN staff, at which it was decided to hold new negotiations on the uncertain expansion of the Treaty and the restriction of nuclear tests.

The result of the conference was the adoption in September 1996 at the 50th session of the UN General Assembly of the Treaty on the mass Pro-

hibition of nuclear tests (CTBT), which provides for the complete rejection of nuclear tests in all environments. The document lists 44 countries that had nuclear potential and technology at the time of recent discussions. During these years, the arsenal of nuclear arms of the Republic of Kazakhstan was in the 4th place in the world, but our state took over the leadership that it should sign and ratify before the entry into force of the CTBT, as a recommendation and example for other states. Of these 44 countries, the DPRK, India and Pakistan have not signed the Treaty. Some countries have not yet approved it, including the USA, China, Egypt, Iran, Israel.

For example, the US Senate refused to ratify the CTBT, citing its threat to keep the country's nuclear arsenal in a safe state [3]. The process of ratification of the Treaty in China, acting taking into account the American position on this issue, has been in an unstable state for many years. The evasion of illegal nuclear powers from signing the treaty should also not question its feasibility.

Since then, a new idea and movement has emerged in the Society of the world – the international movement for Global Zero. This movement is a public organization whose goal is to achieve «global zero» by 2030 – the annihilation of all nuclear arms stores. The Global Zero movement is led by more than 200 politicians with knowledge in the field of national security and includes former heads of state, foreign ministers, defense ministers, national security advisers and commanders-in-chief.

The history of the modern nuclear-free world movement began on January 4, 2007, when The Wall Street Journal distributed an article entitled «A world free of nuclear arms». Its authors - «veterans» of the Cold War – former US secretaries of State Henry Kissinger, George Schultz, former US Secretary of Defense William Perry and former chairman of the Senate Armed Forces Committee Sam Nunn called on the world community to start the process of completely eliminating nuclear arms in war. The authors of the article presented a «roadmap for the transition to a nuclear – free world» – intermediate options for interstate agreements. According to the «road map», the annihilation of nuclear arms may be possible under the following conditions: [3, p. 62-74] specific recommendations for moving towards a world without a full nucleus («road map»):

- if nuclear powers eliminate nuclear arms and radically reduce their strategic nuclear arsenals;

- if all nuclear powers approve the Treaty on the mass ban on nuclear tests, signed in 1996;
- if an agreement on the Forbiddance of the generation of fissile materials is signed;
- increased safety of nuclear arms and storage systems of fissile materials-this applies primarily to weapons plutonium and highly enriched uranium;
- establishment of international control over the closure of the nuclear fuel cycle;
- if regional conflicts are resolved, this will encourage non-nuclear countries to strive to have nuclear arms.

Global Zero movement action plan on Global Zero (2010-2023) and considers a four-stage plan for reaching an agreement on the subsequent elimination of all nuclear arms by 2030.

Phase 1 (2010-2013) provided for the continuation of negotiations between the USA and the Russian Federation on the reduction of offensive weapons, the signing of strategic offensive weapons and the signing of a bilateral agreement between the Russian Federation and the United Nations. The states are about reducing their nuclear arsenals to 1,000 warheads.

Stage 2 (2014-2018) provided for a multilateral agreement, according to which the USA and the Russian Federation will decrease their nuclear arms stockpiles to 500 warheads (by 2021), and other countries will stop building their arsenals by 2018, after which they will begin their gradual destruction by 2021. During this period, it was envisaged to introduce a system of control and guarantees, which provides for the repression of the illegal use of peaceful nuclear energy technologies in order to create nuclear arms.

Stage 3 (2019-2033) the intended to negotiate an agreement on the consistent elimination of all nuclear arms, which should be signed by all countries with nuclear capabilities.

Stage 4 (2024-2030.) Provided for the completion of the process of phased pulverization of all nuclear arms stockpiles by 2030 and further improvement of the control system [5].

The Founding Conference of the Global Zero movement was held in Paris in 2008. This conference was attended by more than 100 politicians, civil and military leaders, who prepared an action plan for the elimination of nuclear arms. The conference participants signed an open letter addressed to Barack Obama and Dmitriy Medvedev calling for the start of mutual reduction of nuclear potential.

On April 5, 2009, speaking in Prague, Barack

Obama announced his intention to eliminate nuclear arms. Quote: «in this way, today I openly and confidently declare America's commitment to peace and security in a nuclear-free world. I'm not naive. I understand that this goal cannot be achieved quickly – it may not be achieved during my lifetime. We will need patience and perseverance. But now we also need to stop paying attention to voices that say that the world will not change. We say, «yes, we can» – President Barack Obama, April 5, 2009 [2, p. 184].

The initiative of the American leader was supported mainly by four nuclear powers – Russia, China, France, Great Britain and a number of non-nuclear ones, including the Republic of Kazakhstan.

As part of the study, universal and special legal research methods were used. The historical and legal method made it possible to identify the formation and development of the Global Zero project in the field of international security. The use of a systematic approach and comparative legal (comparative) analysis made it possible to identify differences and common patterns in the legal regulation of relations in the field of general disarmament at the international level. The functional approach is used in the development and justification of proposals and recommendations for improving existing international treaties in the field under study.

The study of the possibilities of the Global Zero plan in terms of contribution to international disarmament offers its vision of the problems of cooperation in the creation of new knowledge and effective methods for implementation. Kazakhstan's experience of disarmament demonstrates the effectiveness of this action as a tool for solving social, environmental, economic and international security problems.

Thus, real and tangible constant threats, tightly intertwined in a complex and very tense «nuclear grid», significantly reduce the chances of achieving General Nuclear Disarmament in the near future. Moreover, some experts believe that Global Zero, even in the very distant future, is a very dangerous idea if the existing world order does not undergo radical changes. In this sense, Albert Etcioni's article «Zero is an incorrect number» is an indicator [4]. A well-known

American scientist says: if Russia or the USA can hide the presence of several warheads exceeding the established contractual limits, this will not lead to a radical regrouping of forces. However, in the event that one of the powers completely destroys its nuclear arsenal, and the other hides about a dozen warheads, there is a serious threat to international security. In such conditions, the concept of «guaranteed mutual destruction», which ensured relative stability during the Cold War and remained a guarantee of security, albeit in a somewhat modified form, loses its meaning.

If Russia and the USA destroy their nuclear arms, any other state can act as a «troublemaker». For example, one can imagine what would happen if North Korea remained the only nuclear power on the world stage. Of course, such a development of events is unlikely, but nevertheless, such scenarios well show that it is impossible to do on the way to «Global Zero» with the efforts of only two powers. However, so far it is clear that persuading countries to abandon nuclear arms is practically impossible.

According to the conducted research of A. Bolat, S. Saimova, D. Bekezhanov, D. Ashimova, M. Konysbekova and G. Zhakupova «There is no reliable and simple remedy against the threat of nuclear proliferation. No state can solve this problem alone. Therefore, in modern conditions, improving control over the non-proliferation of nuclear weapons is one of the most important areas of activity of the international community, ensuring the stability of interstate relations. Deepening international cooperation within the framework of multilateral non-proliferation regimes involves close interaction between state bodies and services of partner countries. And although Russia's relations with some partners (including the United States) are complex and contradictory, it is clear that cooperation in countering the spread of nuclear weapons is an area in which the long-term interests of different states most coincide» [7, p. 13].

In conclusion, it can be argued that in the future, the global concept of «Global Zero» will be one of the leading factors in the implementation of the principle of disarmament, respectively, with proper funding and support from the world community.

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## АКТУАЛЬНЫЕ ВОПРОСЫ ПРАВОПРИМЕНЕНИЯ КОНЦЕПЦИИ «ГЛОБАЛЬНОГО НУЛЯ» ПРИ РЕАЛИЗАЦИИ ПРИНЦИПА РАЗОРУЖЕНИЯ В ПРАВЕ МЕЖДУНАРОДНОЙ БЕЗОПАСНОСТИ

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*В условиях непредсказуемости и дестабилизации современных международных отношений, в частности обострения ситуации на Корейском полуострове и Ближнем Востоке, все большее значение приобретает вопрос ядерного разоружения. Данная статья посвящена эволюции глобальных дебатов по амбициозной идее «Глобального нуля», которая призывает к полному запрету ядерного оружия и ликвидации всех его арсеналов. В статье подробно описываются предпосылки и история этой идеи, ее развитие в период холодной войны и ее окончательная форма. Несоответствие между официальными заявлениями в духе разоружения и сохраняющимся наступательным характером ядерной доктрины США привело к некоторой непоследовательности в политике США в этой области. Данная статья также посвящена текущим проблемам и перспективам полного ядерного разоружения, двух ядерных держав – Российской Федерации и США, а также ряда стран-членов ядерного клуба (Великобритания и Франция) или тех, кто связывает свою безопасность с американским «ядерным зонтиком» (Япония и Республика Корея). В заключение можно сказать, что в данной научной статье подробно описаны фрикционные и правовые проблемы реализации механизма разоружения и концепции «Глобального нуля», а также проанализированы данные мировых проблем с использованием этой концепции.*

**Ключевые слова:** глобальный ноль, разоружение, правоприменение, концепция, международная безопасность, ядерное разоружение, международные отношения.