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**Security Council
Background Guide**

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Committee Overview

Introduction

The Security Council is one of the six principal organs of the United Nations (UN). After holding its first session on 17 January 1946 in London, its meetings now take place at the UN Headquarters in New York City. The Security Council is the only UN institution that can adopt resolutions which are legally binding for all 193 UN Member States (Art. 25 UN Charter). It deals with matters on the protection of international peace and security (Art. 24 I UN Charter).¹

Membership

The Security Council has 15 members of which five are permanent members (P5). The so-called P5 are China, France, Russia, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Each year, five of the other ten Member States are elected by the UN General Assembly for a two-year term in the Security Council.

Voting Procedure

Every member state represented in the Security Council has one vote. The adoption of a resolution requires a qualified majority of nine Member States, which can either vote in favour or against a resolution, or abstain (Art. 27 II UN-Charter). The P5 have a “veto power” and can block the adoption of a resolution by voting against it.² During the Cold War, the lack of agreement between the P5 caused a frequent use of the veto power. Normally, the Security Council adopts resolutions unanimously.³

Mandate

The UN-Charter equips the Security Council with a wide range of possible measures to fulfil its tasks. Chapter VI explores peaceful means, such as diplomatic measures, to maintain international peace and security, while Chapter VII allows for coercive measures in the case of threats to or breaches of peace, or acts of aggression. After defining the severity of the situation according to Art. 39 UN-Charter, the Security Council can make recommendations (Art. 39), impose economic sanctions, financial restrictions or i.a. enforce disarmament through arms embargos (Art. 41 UN-Charter). Additionally, the Security Council is the only institution in the world that may authorise measures involving the use of armed force (Art. 42). The adoption of measures under Chapter VII, even without the consent of the concerned Member State, is the strongest tool of the Security Council to restore international peace.⁴

Conclusion

The deterioration of international security caused by conflicts in Syria, Yemen or on the Korean peninsula unveils the systemic divide among the P5. Nevertheless, the Security Council

¹ UN Security Council, *What is the Security Council?* [Website].

² *Charter of the United Nations*, Art. 27, 1946.

³ Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

⁴ *Charter of the United Nations*, Art. 39-42, 1946.



is the only UN organ that can adopt legally binding resolutions and is therefore still the most powerful and important institution to secure worldwide peace.⁵

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⁵ UN, Charter of the United Nations, Art. 24, 2018.



1. The Situation in Libya

Introduction

In February 2011, the Arab spring began with protests against the Libyan leader Gaddafi. The protests quickly turned into a civil war and led to the death of Gaddafi in October 2011.¹ A lack of political consensus between the conflict parties led to the unanimous adoption of Security Council (SC) resolution 2009 in September 2011, which, at the request of the Libyan authorities to support the country's new transitional authorities in their post-conflict efforts, established the *United Nations Support Mission for Libya* (UNSMIL).² A milestone on the work of UNSMIL has been the mediation of the *Libyan Political Agreement* (LPA) in December 2015. The LPA „rests on four main principles: ensuring the democratic rights of the Libyan people, the need for a consensual government based on the principle of the separation of powers, oversight and balance between them, as well as the need to empower state institutions like the *Government of National Accord* (GNA) so that they can address the serious challenges ahead, respect for the Libyan judiciary and its independence.“³ Yet, *Human Right Watch* (HRW) reports, that the internationally recognized GNA is still struggling to „assert itself in the capital Tripoli, as two authorities - one also based in Tripoli and another in eastern Libya - continued to compete for legitimacy and control over resources and infrastructure.“⁴ An unstable political system gives way for terrorist threats, and due to the circumstances of war the civilian population is struggling to gain access to basic services. HRW reports that there is a lack of healthcare, fuel and electricity which has caused a humanitarian crisis with close to half a million internally displaced people.⁵ As the domestic criminal justice system is still dysfunctional, the number of crimes in form of arbitrary detentions, torture, unlawful killings, indiscriminate attacks, abductions, and forcible disappearances is rising without further consequences.

International and Regional Framework

The intervention of the UN in Libya is based on the *Responsibility to Protect* (R2P) which was endorsed by the General Assembly at the UN World Summit in 2005. It has the purpose to prevent mass atrocity crimes and intervene in a situation where a state fails to exercise this responsibility.⁶ Using this doctrine, the SC in 2011 passed *Resolution 1970* imposing an arms embargo, asset freezes and travel restrictions in Libya. *Resolution 1973* extended the sanctions and with a no-fly zone above the Libyan territory and gave the North Atlantic Treaty Organization (NATO) the permission to use „all necessary measures“ to enforce the ban on flights to protect civilians from actions of the Libyan regime which were an abuse of the human rights and humanitarian law.⁷ The intervention of NATO, next to air strikes of the „Coalition of the Willing“, also led to the provision of weapons, and military training to rebel forces which soon turned peaceful protests into an armed civil war.⁸

Like the *European Union* (EU), the *African Union* (AU) supports a peaceful solution of the conflict and proposed a roadmap for conflict resolution. The roadmap stressed the need of a ceasefire and

¹ Bhardwaj, *Development of Conflict in Arab Spring Libya and Syria: From Revolution to Civil War*, 2012, p. 81.

² UNSMIL, *Mandate* [Website].

³ UNSMIL, *Libyan Political Agreement*, 2015, p.2

⁴ HRW, *World-Report 2017, country-chapter Libya* [Website].

⁵ Ibid.

⁶ Zifcak, *The responsibility to protect after Libya and Syria*, 2012, p.1.

⁷ Ibid., p.6

⁸ Bhardwaj, *Development of Conflict in Arab Spring Libya and Syria: From Revolution to Civil War*, 2012, p. 83.



humanitarian assistance.⁹ In addition, the EU has launched the naval operation „*Sophia*“ in the Mediterranean which includes training for the Libyan Coast Guard and Navy. It is supported by NATO which provides intelligence, surveillance, as well as capacity-building for the Libyan Coast Guard and Navy.¹⁰

Also, the Arab League unanimously condemned the Libyan regime and encouraged international intervention. Jordan, Tunisia, Egypt and Qatar are important regional actors in this conflict.¹¹

Libya has ratified the four Geneva Conventions (1949) and the two Additional Protocols. It is also party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (1992) and to the Treaty on the Nonproliferation of Nuclear Weapons (1968). Furthermore, Libya has joined eleven core human rights treaties, including the International Covenant on Civil and Political Rights (1966) and the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984).¹²

Role of the International System

Under the umbrella of the UNSMIL mandate, the International Organization for Migration (IOM), the Office for Coordination of Humanitarian Affairs (OCHA), the *United Nations Development Programm* (UNDP), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children Fund (UNICEF), UN-Women, the World Health Organization (WHO) and many others are active in Libya.¹³

The Security Council, in resolutions 2022 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2238 (2015) and 2323 (2016), modified and extended UNSMIL's mandate, the last of which was resolution 2376 (2017), which extended UNSMIL's mission until 15 September 2018.¹⁴ The mandate includes the conduction of „human rights monitoring and reporting, the support of key Libyan institutions and efforts to secure uncontrolled arms, the provision of essential services and delivery of humanitarian assistance, and coordination of international assistance.“¹⁵

In January 2017, the Office of the High Commissioner for Human Rights (OHCHR), in cooperation with UNMSIL, published a report on the situation of human rights in Libya, including on the effectiveness of technical assistance and capacity-building measures received by the Government of Libya.¹⁶ The report gives recommendations to all conflict parties, the Libyan government and the international community what steps need to be taken.¹⁷ Most recently the UN has received reports on the trafficking and sale of migrants in Libya. The incidents have been condemned by the Migrant Workers Committee, which „calls on governments to undertake urgent measures to end the human rights violations of migrant workers and members of their families in Libya“.¹⁸

⁹ Dewaal, *The African Union and the Libya Conflict of 2011* [Website].

¹⁰ HRW, *World-Report 2017, country-chapter Libya* [Website].

¹¹ Bhardwaj, *Development of Conflict in Arab Spring Libya and Syria: From Revolution to Civil War*, 2012, p. 84.

¹² Austin, Weitzel, Vetrovcoa, *NMUN Security Council Background Guide*, 2017, p.32.

¹³ UNSMIL, *UN in Libya* [Website].

¹⁴ UNSMIL, *Mandate* [Website].

¹⁵ UNDP, *Libya* [Website].

¹⁶ HRC, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Libya, including on the effectiveness of technical assistance and capacity- building measures received by the Government of Libya*, 2017, p.1.

¹⁷ *Ibid.*, p.16-18.

¹⁸ OHCHR, *Migrant Workers Committee condemns the trafficking and sale of migrants in Libya and calls on governments to undertake urgent measures to end the human rights violations of migrant workers and members of their families in Libya* [Website].



In cooperation with UNSMIL and other partners the UNDP has recently established the electoral support project „Promoting Elections for the People of Libya“ (PEPOL). Until December 2017, France, Italy, the Netherlands and Germany have directly donated to the program.¹⁹ The program supports the High National Election Commission (HNEC) which is working on possible elections in 2018 and the establishment of permanent institutions. In an interview with Special Representative of the Secretary General (SRSG) G. Salamé, he stressed the importance of „the right political conditions“ for elections meaning that all political actors should accept in advance the results of the election for it to be a success.²⁰

Conclusion

„There is a window of opportunity“, says Salamé in his remarks to the SC from 28 August 2017.²¹ The UN have already significantly increased their footprint in Libya. At the moment, a political process on the future of the country is being worked on. In any case, any efforts to forge a solution must be Libyan-led and Libyan-owned. The UN is there to support them in their endeavours, but certainly not to replace them.

Further Research

When researching this topic, delegates should consider the following questions: How can Libya be prepared for fair, competitive, yet transparent elections and how can the participation of all tribes and conflict groups be encouraged? What can the Security Council do to create a more secure and normal life for all citizens and migrants so that Libyans can go about their daily lives free from fear and want? How can the SC improve the capacity of UNSMIL to better address current challenges? How can institutional capacity-building be strengthened to guarantee an impartial and independent judiciary and fully investigate human rights violations?²²

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¹⁹ UNSMIL, *Germany contributes electoral assistance* [Website].

²⁰ Zaptia, *Libyan elections will be held in 2018 only if conditions are right: Salame* [Website].

²¹ UNSMIL, *Remarks of SRSG Ghassan Salamé to the United Nations Security Council 28 August 2017*, 2017, p. 8.

²² Austin, Weitzel, Vetrovcoa, *NMUN Security Council Background Guide*, 2017, p. 37.



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2. Nuclear-Disarmament and Non-Proliferation

Introduction

Nuclear weapons have become the defining hallmark of total warfare since the end of World War II, when nuclear bombs were used in warfare against Japan. Besides the unprecedented deadliness, the fallout of the bombs and the resulting radiation underlined the disastrous consequences of using nuclear weapons in warfare.¹ The traumatic aftermath of WWII helped to establish the legitimate threat that nuclear weapons represented to the world, and proved that the permanent threat of nuclear warfare was antithetical to achieving sustainable global peace.²

The International Atomic Energy Agency (IAEA) defines a nuclear weapon as a device that releases explosive energy as a result of nuclear fission and fusion.³ Nuclear weapons are expensive, complicated, and highly dangerous. However, as nuclear weapons still appeal to states from a national security perspective, there are several United Nations (UN) Member States that possess nuclear devices.⁴

Due to the remaining threat to global peace and security by nuclear weapons, the UN is committed to the complete eradication of nuclear weapons. This sets the ground for disarmament and non-proliferation: while disarmament refers to the full eradication of nuclear weapons in the world, non-proliferation simply aims to limit the spread. The current state of global nuclear disarmament depends on the ability of various Member States to work together and decrease their nuclear arsenals.⁵

International and Regional Framework

Since 1945, there have been extensive efforts and instruments created to limit the impact of nuclear weapons, with complete disarmament as the ultimate goal.⁶ The most pivotal document in this regard is the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) (1968), created to limit the levels of nuclear proliferation. The NPT aims to halt the production and spread of nuclear weapons, and to encourage denuclearization efforts around the world. It also links the peaceful use of nuclear energy with the application of nuclear safeguards set by the IAEA for control reasons. Furthermore, in the NPT, the IAEA was established as the main UN specialized agency for nuclear related matters.⁷

Although all Permanent Five Members of the UN Security Council (UNSC) possess nuclear weapons, they have signed or ratified the NPT, while the remaining Member States in possession of nuclear weapons are not parties. The Democratic People's Republic of Korea (DPRK), has withdrawn from the NPT. Hence, the lack of adherence by nuclear-possessing Member States to the NPT re-

¹ Encyclopedia Britannica, *The Effects of Nuclear Weapons*, 2017.

² UN News Centre, *At Security Council, Ban calls for eradicating weapons of mass-destruction 'once and for all'*, 2016.

³ IAEA, *IAEA Forum for the Creation of a Nuclear-Weapon-Free Zone in the Middle East*, 2011.

⁴ Macias, *Nine Nations Have Nukes- Here's How Many Each Country Has*, 2014.

⁵ *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.

⁶ UN News Centre, *At Security Council, Ban calls for eradicating weapons of mass-destruction 'once and for all'*, 2016.

⁷ *Treaty on the Non-Proliferation of Nuclear Weapons*, 1968.



sults in a challenge for the full application of the NPT.⁸

Next to the UNSC, the GA facilitates high-level disarmament efforts in the international community through mechanisms such as brokering agreements, mediating talks, directing subsidiary bodies, and engaging Member States in negotiations. Some of the most recent frameworks established by the GA include the Convention on Nuclear Safety (1994), the Hague Agenda for Peace and Justice in the 21st Century (2000), the International Convention for the Suppression of Acts of Nuclear Terrorism (2005) and the Vienna Declaration on Nuclear Safety (2015).^{9 10 11}

Key resolutions of the UN General Assembly (GA) regarding nuclear disarmament and non-proliferation were A/RES/14/1378 (1959)¹², A/RES/67/54 (2012)¹³ and A/RES/69/66 (2014) which addressed the importance of regional nuclear-free zones.¹⁴ Most recently on 27 October 2016, the United Nations General Assembly First Committee adopted A/C.1/71/L.41 (2016) which resulted in the adoption of the *Treaty on the Prohibition of Nuclear Weapons* (2017).¹⁵ The treaty constitutes a comprehensive ban on nuclear weapons and will enter into legal force once 50 nations have signed and ratified it.¹⁶

As set out in Article 26 of the UN Charter, the UNSC has the mandate to deal with arms control and disarmament. Nevertheless, this thematic issue, including nuclear disarmament and non-proliferation, in general has largely been tackled at the country or case-specific level by the UNSC. There has been little willingness from the council to address general rules.¹⁷

Role of the International System

The UNSC and the GA together play the key roles in creating and enforcing legislation concerning nuclear disarmament and non-proliferation. However, there are several other key bodies that contribute to the dialogue on nuclear non-proliferation such as the United Nations Office on Disarmament Affairs (UNODA), a subsidiary body of the GA that helps to promote nuclear disarmament and nonproliferation, strengthen disarmament regimes, and support efforts to ban weapons of mass destruction¹⁸, and the voluntarily funded United Nations Institute for Disarmament Research (UNIDIR) which helps to conduct independent research and relevant studies on the development and use of nuclear weapons.¹⁹

There is also significant historical precedent for bilateral negotiations aiming to limit nuclear armament, such as inter alia the *Strategic Arms Limitation Talks* (SALT I, 1969; SALT II, 1979) and *Strategic Arms Reduction Treaty* between the United States and the Soviet Union for the reduction of each country's nuclear arsenal during the Cold War. The most recent Iran Deal and the resulting

⁸ Arms Control Association, *Israel, India, and Pakistan: Engaging the Non-NPT States in the Nonproliferation Regime*, 2003.

⁹ IAEA, *Vienna Declaration on Nuclear Safety is Adopted at Diplomatic Conference*, 2015.

¹⁰ *The Hague Agenda for Peace and Justice for the 21st Century*, 2017.

¹¹ *The Hague Agenda for Peace and Justice for the 21st Century*, 2017.

¹² UN General Assembly, *General and complete disarmament (A/RES/14/1378)*, 1959.

¹³ UN General Assembly, *Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/RES/67/54)*, 2012.

¹⁴ UN General Assembly, *Third Conference of State Parties and Signatories to Treaties that establish Nuclear-Weapon-Free Zones and Mongolia (A/RES/69/66)*, 2014.

¹⁵ International Campaign to Abolish Nuclear Weapons, *UN Resolution to ban Nuclear Weapons in 2017*, 2016.

¹⁶ *Treaty on the Prohibition of Nuclear Weapons*

¹⁷ Security Council Report, *Cross-Cutting Report No. 2: The Security Council's Role in Disarmament and Arms Control: Nuclear Weapons, Non-Proliferation and other Weapons of Mass Destruction*, 2009.

¹⁸ UNODA, *Overview*, 2017.

¹⁹ UN General Assembly, *Report of the Disarmament Commission*, 1999.



Joint Comprehensive Plan of Action (2015) was a landmark agreement that successfully led to the relative disarmament of a potential nuclear state by means of multilateral negotiations.²⁰

Actions by the UNSC

The UNSC's main role has been to express concern and condemnation on country-specific proliferation issues as well as broader disarmament dimensions of security issues. It can demand adherence to international treaties, and even enhance inspections and monitoring combined with sanctions. Certainly, the UNSC shares responsibilities with the GA on the issue of nuclear-disarmament and non-proliferation. But, due to its unique executive power, the UNSC is uniquely placed within the international system as a promoter of states' adherence to international regimes, an enforcer of the non-proliferation regime and even as a legislator creating norms to prevent the proliferation of WMD by non-state actors.²¹

On 31 January 1992, the UNSC released S/23500 in which it declared that proliferation of weapons of mass destruction (WMD) a threat to international peace and security.²² This statement opened the way for the Council to impose measures under Chapter VII against any party that is seeking to acquire or transfer nuclear weapons.²³ In 2004, the UNSC unanimously adopted its landmark resolution S/RES/1540 (2004). Pursuant to S/RES/1540 (2004) the UNSC established the 1540 Committee which reports directly to the council and contributes to more informed decision-making through its reports, research findings, and recommendations. Its mandate was extended multiple times by several UNSC resolution.²⁴

The Council has used different techniques depending on whether the proliferation threat comes from states or from non-state actors. Its action against state proliferation has been uneven and is often criticized as selective. For instance, the Council's record on issues regarding the NPT leave out the parallel obligations on the P5 under article VI of the NPT in any practical sense. The council has acted firmly against nuclear programmes in Iraq²⁵, the DPRK²⁶ and Iran.²⁷ Nuclear programmes in Israel, Pakistan and India were mostly ignored. Regarding the threats by non-state actors the UNSC has acted continuously strong through preventive responses: e.g. by adopting S/RES/1373 (2011) in the immediate aftermath of the 11 September terrorist attacks in the US, which links WMD to terrorist activities.²⁸

Remaining challenges

The main obstacle to total nuclear disarmament remains the lack of adherence to the NPT and relevant documents by Member States. Lack of cooperation with the IAEA is a significant international cause for concern because a lack of transparent communication between states can exacerbate a security dilemma and threaten global security.²⁹ Most currently, the DPRK has conducted three nuclear tests in the past two years leaving the UNSC no other options than imposing sanctions

²⁰ *United Nations Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, 2015.

²¹ *Ibid.*

²² United Nations Security Council. *Note by the President of the Security Council (S/235000)*, 1992.

²³ Security Council Report, *Cross-Cutting Report No. 2*, 2009.

²⁴ United Nations Security Council 1540 Committee, *1540 Fact Sheet*, 2017.

²⁵ United Nations Security Council. *Resolution 661*, 1990.

²⁶ United Nations Security Council. *Resolution 2371*, 2017; United Nations Security Council. *Resolution 2375*, 2017.

²⁷ United Nations Security Council. *Resolution 1696*, 2006.

²⁸ Security Council Report, *Cross-Cutting Report No. 2*, 2009.

²⁹ Deutsche Welle, *Correspondents Report: IAEA Chief Critical of Iran and Syria Lack of Cooperation*, 2009.



though several resolutions.³⁰

Further, the presence of new threats in the twenty-first century by non-state actors is a problem the UNSC must tackle to promote nuclear-disarmament and non-proliferation. The rise of the Islamic State of Iraq and the Levant (ISIL) and other terrorist organizations have led to the concerns about these actors acquiring nuclear capabilities, and questions on whether they would be subject to the same norms as Member States.³¹

Conclusion and Further Research

While there have been successes on the reduction of nuclear capability and the promotion of international norms, many challenges remain to total disarmament. Given these challenges, delegates should consider some key questions while beginning research, including: How should the council address the lack of adherence of Member States to international norms and preexisting agreements on nuclear safety? How should it address the threat of non-state actors and their possible acquisition of nuclear capability? How can the UNSC enhance cooperation between the 1540 Committee and relevant international, regional and sub-regional organizations, including regular meetings to share information and experiences?³²

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³⁰ What's in blue, *Non-Proliferation/DPRK: Ministerial Briefing*, 2017.

³¹ Nuclear Threat Initiative, *Non-State Actors Pose Growing Proliferation threat: U.S.*, 2016.

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3. Improving Support for UN Peacekeeping Operations

Introduction

Peacekeeping operations (PKOs) are a unique tool for the UN Security Council in its responsibility of ensuring international peace and security. There are currently over 91.000 peacekeepers deployed in 15 missions in the Central African Republic, Western Sahara, Mali, Haiti, D.R. Congo, Darfur, Golan, Cyprus, Lebanon, Abyei, Kosovo, Liberia, South Sudan, India/Pakistan and the Middle East.¹ As the Security Council is the only body with the power to create a peacekeeping mission², it holds a unique position and responsibility within the UN system to shape and improve all aspects of peacekeeping.

The first peacekeeping mission, the United Nations Truce Supervision Organization (UNTSO), was established in 1948 in the Middle East to supervise a ceasefire between Israel and its Arab neighbours.³ During the early years, peacekeeping was used exclusively as a tool for maintaining and supervising ceasefires, in order to create the conditions for political solutions.⁴ After the cold war, with a more united Security Council, PKOs evolved to become “multi-dimensional”⁵, with much broader and more complex mandates. Additional responsibilities may now include providing support to national law enforcement agencies, facilitating the establishment of legitimate governmental institutions, e.g. through providing electoral assistance, or ensuring a free flow of humanitarian goods.⁶ Despite this change, the basic principles of any peacekeeping mission remain the same: consent of the parties, impartiality and the non-use of force except in self-defence and defence of the mandate.⁷

UN peacekeeping has been the subject of continuous assessment and reform, starting with the so-called “Brahimi Report” in 2000⁸, which greatly influenced coming reform efforts. In 2015, a High-level Independent Panel on Peace Operations (HIPPO) published a general evaluation of the UN’s peacekeeping architecture.⁹ Most recently, in October 2017, Secretary-General António Guterres announced major reform plans for the Secretariat’s peace and security pillar, which include combining existing institutions to form a new Department of Peace Operations.¹⁰

In order to improve peacekeeping as a whole, it needs support from many different sides, including from troop- and police-contributing Member States, regional organisations, host communities, but also the UN system and the Security Council itself.

¹ UN Department of Peacekeeping Operations (DPKO), *Global Peacekeeping Data* [Website].

² UN DPKO & DFS, *UN Peacekeeping Operations: Principles and Guidelines*, 2008, p. 16.

³ UN DPKO, *Our History* [Website].

⁴ UN DPKO & DFS, *UN Peacekeeping Operations: Principles and Guidelines*, 2008, p. 20-21.

⁵ *Ibid.*, p. 22.

⁶ *Ibid.*, p. 23-24.

⁷ UN DPKO, *Principles of Peacekeeping* [Website].

⁸ UN General Assembly, *Report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809)*, 2000.

⁹ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015.

¹⁰ UN General Assembly, *Restructuring of the United Nations peace and security pillar: Report of the Secretary-General (A/72/525)*, 2017.



International Framework

The *UN Charter*¹¹ does not explicitly mention peacekeeping, nonetheless the Security Council is granted the power to establish PKOs in Chapters VI (“Pacific Settlement of Disputes”) and VII of the Charter – peace operations are one of the various measures the Council can take in reaction to a threat or breach of peace (Articles 39 ff.).

In 2000, after several prominent failures of PKOs in the 1990s, then Secretary-General Annan convened a Panel on United Nations Peace Operations, which published a general review of peacekeeping operations – the so-called “*Brahimi-Report*”¹². In this report, the panel criticized the fact that PKOs were often given unrealistic mandates that did not match the equipment and resources that they were given.¹³ It called for a standby arrangements system to improve rapid deployment, for institutional change and a renewed commitment by Member States in their contributions.¹⁴ Building on the Brahimi-Report, the Department of Peacekeeping Operations (DPKO) called for new collaboration in “*A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*”¹⁵ (2009). For the first time in over a decade, the Security Council conducted a review of peacekeeping operations in Resolution 2086 (2013)¹⁶, inter alia focussing on multidimensional PKOs and expressing its resolve to give PKOs achievable mandates.¹⁷

In 2014, then Secretary-General Ban convened the *High-level Independent Panel on Peace Operations (HIPPO)* which presented its report in 2015. The Security Council took the panel’s recommendations into account and adopted Resolution 2378 in September 2017, with a focus on collaboration with regional organisations, especially the African Union (AU).¹⁸

Role of the United Nations System

The UN Security Council holds the sole power to establish PKOs, referring mostly to Chapter VII of the UN Charter when adopting such resolutions.¹⁹ However, other UN institutions are also involved: The General Assembly (GA) is responsible for considering financial issues and approving the budget of individual missions in its Fifth Committee.²⁰ The GA Fourth Committee considers general issues relating to peacekeeping, such as comprehensive reviews conducted by the Special Committee on Peacekeeping Operations (C34).²¹ The Secretariat’s DPKO streamlines all efforts by maintaining contact with relevant actors and by providing political and executive direction to PKOs.²² The Department of Field Support (DFS) is in charge of logistical support for PKOs, e.g. by providing personnel, technology, infrastructure or training.²³

In October 2017, Secretary-General Guterres published plans for a comprehensive reform of the Secretariat’s peace and security pillar. His goal is to address shortcomings in the UN’s architecture and administration in order to generally enhance the effectiveness and coherence of the pillar.²⁴ In

¹¹ *Charter of the United Nations*, 1945.

¹² UN General Assembly, *Report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809)*, 2000, i.

¹³ *Ibid.*, p. 10-11.

¹⁴ *Ibid.*, p. 14-44.

¹⁵ UN DPKO & DFS, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, 2009.

¹⁶ Arseneault, D./Mace, J./Sanchez, C./Korn, H./Jones, A./Berberich, S./Rudolph, A., *NMUN NY Security Council Background Guide*, 2014, p. 33

¹⁷ UN Security Council, *Resolution 2086 (S/RES/2086)*, 2013.

¹⁸ UN Security Council, *Resolution 2378 (S/RES/2378)*, 2017.

¹⁹ UN DPKO & DFS, *UN Peacekeeping Operations: Principles and Guidelines*, 2008, p. 13-14.

²⁰ UN Dag Hammarskjöld Library, *General Assembly & Peacekeeping* [Website].

²¹ *Ibid.*

²² UN DPKO, *Department of Peacekeeping Operations* [Website].

²³ Arseneault, D./Mace, J./Sanchez, C./Korn, H./Jones, A./Berberich, S./Rudolph, A., *NMUN NY Security Council Background Guide*, 2014, p. 30.

²⁴ UN General Assembly, *Restructuring of the United Nations peace and security pillar: Report of the Secretary-General (A/72/525)*, 2017, p. 5.



this regard, he plans on combining the DPKO and the Department of Political Affairs to create a new Department of Peace Operations, which would both manage PKOs and pursue political efforts in order to achieve peace.²⁵

Key Challenges

The need for political solutions

With the evolution of more complex PKOs, they are often deployed “in an environment where there is little or no peace to keep”²⁶. This leads to challenges in achieving the mission’s mandate. HIPPO pointed out that PKOs should not be used as a substitute for political solutions but only to stabilize and create the conditions to build lasting peace. In addition, mandates are often very broad or unrealistic to achieve, since they are not tailored to the specific situation.²⁷ The Security Council recognised these issues in Resolution 2378 and asserted its commitment to tackling them.²⁸

Improving partnership

Collaboration with partners is considered an essential factor in the success of PKOs.²⁹ These include “triangular consultations” (between the Security Council, troop- and police-contributing countries and the Secretariat), to communicate from the beginning of mission planning so as to ensure that the mandate and contributions match the needs of the specific mission.³⁰ Another important factor for success is collaboration with regional organisations under Chapter VIII of the UN Charter, to make use of their existing capacities. In an effort to improve this, the Secretary-General signed the “Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security”³¹. Improved partnership is needed to build “a more resilient framework for swift and effective international response”³²

Improving implementation and field work

An issue that has stayed relevant since the Brahimi Report is the rapid deployment of PKOs. Since PKOs almost by definition are deployed in an environment where peace is fickle and ceasefires are often unstable, a quick response is needed. The Brahimi Report set a target of 30 or 90 days for traditional and modern missions respectively.³³ But, since the UN has no standing army and thus relies on ad hoc contributions by Member States, the average deployment time today lies at 6 months.³⁴ HIPPO therefore calls for a “more robust framework of standby first responder capabilities [...] to establish initial mission presence.”³⁵

Misconduct and accountability

Cases of misconduct, especially sexual abuse by peacekeepers, violate the trust the international community has placed in the UN and shed a bad light on peacekeeping and the UN as a whole.³⁶

²⁵ Ibid., p. 9-10.

²⁶ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015, p. 9.

²⁷ Ibid., pp. 13, 59.

²⁸ UN Security Council, *Resolution 2378 (S/RES/2378)*, 2013.

²⁹ UN DPKO & DFS, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, 2009, iv.

³⁰ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015, p. 61.

³¹ *Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security*, 2017.

³² Ibid. p. 28.

³³ UN General Assembly, *Report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809)*, 2000, p. 15.

³⁴ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015, p. 63.

³⁵ Ibid. p. 13.

³⁶ UN Security Council, *Letter dated 9 February 2005 from the Secretary-General (S/2005/79)*, 2005.



Despite efforts already taken by the Secretary-General³⁷, there is often a lack of enforcement within missions.³⁸ Furthermore, since troop-contributing Member States have exclusive criminal jurisdiction over their troops, they have the responsibility to investigate and prosecute violations.³⁹

Training

There are currently 125 Member States providing troops for PKOs.⁴⁰ For PKOs, not only military training is required, but also training on human rights and gender issues.⁴¹ Contributing Member States have to deliver their own training, however, many lack the capacities to deliver adequate training.⁴² Additionally, the quality of leaders is crucial for the success of the mission, amongst other things to ensure that the principles and policies of peacekeeping are brought into practice.⁴³ There is need for a more merit-based selection process for senior leadership which gives more regard to gender and geographical balance, and for improved performance-management and evaluation.⁴⁴

Conclusion and Further Research

Ever since the publishing of the Brahimi Report, there have been ongoing reforms and improvements to the UN's peacekeeping architecture. The planned reform of the peace and security pillar of the Secretariat promises to alleviate some of the key problems identified in the Brahimi and HIPPO reports. However, some issues remain relevant, and the change in nature and complexity of global conflicts gives rise to new problems. UN Peacekeeping has a great impact on host countries, and has the potential to change people's lives for the better – but it can also change it for the worse.

When researching this topic, delegates should bear in mind some of the following questions: What can the Council do to ensure the primacy of political solutions and the adequacy of mission mandates when establishing a PKO? How can partnerships within the UN and with Member States and regional organizations be deepened in order to improve support for peacekeeping? What can be done to improve rapid deployment of PKOs? How can proper accountability and training of peacekeepers be ensured?

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³⁷ UN General Assembly, *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations, Report of the Secretary-General (A/70/357-S/2015/682)*, 2015, p. 25-26.

³⁸ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015, p. 85

³⁹ *Ibid.* pp. 14, 86.

⁴⁰ UN Department of Peacekeeping Operations (DPKO), *Global Peacekeeping Data* [Website].

⁴¹ UN General Assembly, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/8446)*, 2015, p. 72.

⁴² *Ibid.*

⁴³ *Ibid.* p. 81.

⁴⁴ *Ibid.* p. 82.



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