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Security Council Background Guide 2022

Written by: Nader J. Mehrdadi and Katie Conti, Directors, with contributions by Christopher Duggan



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Dear Delegates,

Welcome to the 2022 National Model United Nations New York Conference (NMUN•NY)! We are pleased to introduce you to our committee, the Security Council. This year's staff are: Directors Nader Mehrdadi (Conference A) and Katie Conti (Conference B), and Assistant Directors Nour Abd Eldayem (Conference A) and Alisa Riechmann (Conference B). Nader studied Economics at Columbia University and has a background in financial services. He is passionate about the financial challenges and security implications surrounding sustainable development. Katie Conti is a public diplomacy practitioner with a passion for the arts, inclusive security, and youth empowerment. Originally from Erie, Pennsylvania, USA, Katie is currently living in London, UK, pursuing a double Masters of Science in Global Media and Communication at the London School of Economics and Political Science and the University of Cape Town.

The topics under discussion for the United Nations Security Council are:

- 1. Addressing Threats to International Peace and Security from Non-State Actors
- 2. The Situation in the Middle East, Including the Palestinian Question

The Security Council is the international community's most powerful institution dedicated to maintaining peace and security. The Council may issue both binding and non-binding resolutions, release presidential statements, commission reports by the Secretary-General, and authorize peacekeeping or humanitarian missions, among other actions. The Council's unique legal authority and broad reach makes it the leader of the international community's efforts to maintain international peace and security.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a Position Paper by 11:59 p.m. (Eastern) on 1 March 2022 in accordance with the guidelines in the <u>Position Paper Guide</u> and the <u>NMUN•NY Position Papers</u> website.

Two resources, available to download from the <u>NMUN website</u>, serve as essential instruments in preparing for the Conference and as a reference during committee sessions:

- 1. <u>NMUN Delegate Preparation Guide</u> explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not start discussion on the topics with other members of their committee until the first committee session.
- 2. <u>NMUN Rules of Procedure</u> include the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory <u>NMUN Conduct Expectations</u> on the NMUN website. They include the Conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Under-Secretaries-General for the Peace & Security Department, Chase Mitchell (Conference A) and Collin King (Conference B), at <u>usg.ps@nmun.org</u>

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Sincerely,

Conference A Nader Merhdadi, Director **Conference B** Katie Conti, Director



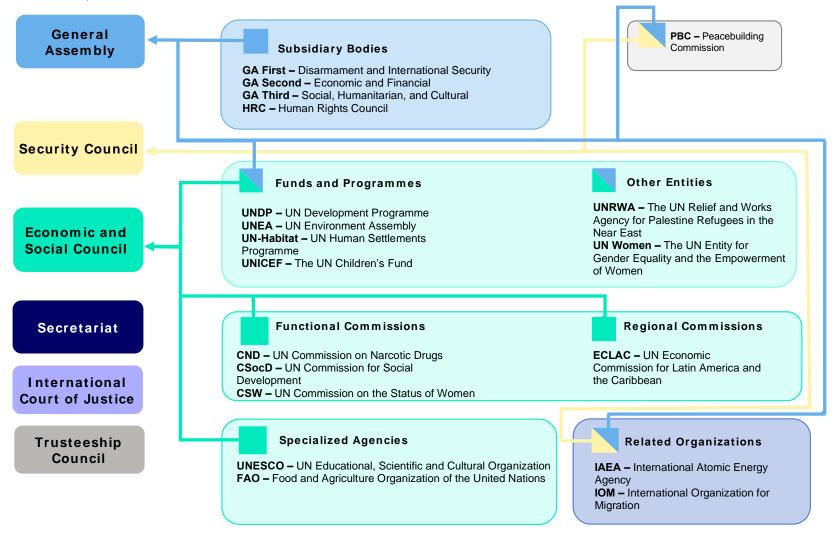
Table of Contents

United Nations System at NMUN•NY	2
Committee Overview	3
Introduction	
Governance, Structure, and Membership	3
Mandate, Functions, and Powers	
Recent Sessions and Current Priorities	6
Conclusion	8
Annotated Bibliography	9
Bibliography	10
1. Addressing Threats to International Peace and Security from Non-State Actors	14
Introduction	14
International and Regional Framework	14
Role of the International System	16
Preventing Acquisition and Use of WMD by Non-State Actors	
Case Study: Revolutionary Armed Forces of Colombia (FARC)	19
Conclusion	20
Further Research	21
Annotated Bibliography	21
Bibliography	22
2. The Situation in the Middle East, Including the Palestinian Question	27
Introduction	
International and Regional Framework	28
Role of the International System	
The Al-Aqsa Mosque and Sheikh-Jarrah Conflict	
COVID-19 in OPT	32
Conclusion	
Further Research	33
Annotated Bibliography	33
Bibliography	34



United Nations System at NMUN•NY

This diagram illustrates the UN system simulated at NMUN•NY and demonstrates the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose, and powers within the UN system.





Committee Overview

Introduction

After the devastating effects of the two World Wars, the international community established the United Nations (UN) as an intergovernmental organization with the primary responsibility of maintaining international peace and security, creating the conditions conducive to economic and social development, and advancing universal respect for human rights.¹ The Security Council became one of the six principal organs of the UN and was given the primary responsibility of preserving international peace and security.²

The Security Council held its first session on 17 January 1946 at Church House in London.³ After its first meeting, the Council relocated to its permanent residence at the UN Headquarters in New York City.⁴ At that time, five permanent members and six non-permanent members were part of the Council.⁵ In 1965, the number of non-permanent members increased to 10 and discussions regarding a change in configuration took place frequently.⁶ However, as the body's structure has remained largely unchanged, debate have continued over the Security Council's efficacy and authority as a mediator on issues of international security.⁷ Matters such as the Syrian Civil War, Russia's annexation of Crimea, and The Democratic People's Republic of Korea's nuclear weapons program have posed particular challenges to the Security Council.⁸

Traditionally, the Security Council discusses issues related to peacekeeping missions and political processes, as well as the protection of human rights, disarmament, and humanitarian crises.⁹ However, with the adoption of the *2030 Agenda for Sustainable Development* by the UN General Assembly in 2015, the Security Council has begun to increasingly focus on the intersection between sustainability, peace, and security.¹⁰ Some important crosscutting issues the Council is currently addressing include human rights and the protection of civilians for conflict prevention and sustainable development; the impacts of climate change on international security; the prevention of conflict and methods to sustain peace; and recently it held its first high-level debate on cybersecurity.¹¹ With the rise of the COVID-19 pandemic, the Council has also undertaken a strategic focus on the impact the global health crisis continues to have on international security.¹²

Governance, Structure, and Membership

The Security Council is the only UN body that has the power to adopt legally binding resolutions, which place an obligation on Member States to accept and carry out the Council's decisions under Article 25 of the *Charter of the United Nations* (1945).¹³ The Security Council also has a variety of other tools to address issues on its agenda.¹⁴ For example, the President of the Security Council may issue press

- ⁶ Global Policy Forum, *Background on Security Council Reform*, 2020.
- ⁷ Council on Foreign Relations, *The UN Security Council*, 2018.
- ⁸ Ibid.

¹ Charter of the United Nations, 1945.

² UN Security Council, What is the Security Council?, 2021.

³ Ibid.

⁴ Ibid.

⁵ UN Security Council, *Voting System*, 2021.

⁹ Council on Foreign Relations, *The UN Security Council*, 2018; Encyclopedia Britannica, *United Nations Security Council*, 2014.

¹⁰ UN General Assembly, *Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

¹¹ Security Council Report, *Status Update Since our June 2021 Forecast*, 2021.

¹² UN DGC, Security Council Calls for Increased Global Cooperation to Facilitate COVID-19 Vaccine Access in Conflict Areas, Unanimously Adopting Resolution 2565 (SC/14454), 2021.

¹³ UN Security Council, What is the Security Council?, 2021; Charter of the United Nations, 1945.

¹⁴ UN Security Council, *Functions and Powers*, 2021.



statements or presidential statements to communicate the Council's position.¹⁵ Although these are not legally binding, such statements are used to bring attention to important issues and to recommend solutions to ongoing conflicts.¹⁶

The five permanent members of the Security Council are China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, often colloquially referred to as the "P5."¹⁷ Every year, the General Assembly elects five of the 10 non-permanent members for a two-year term.¹⁸ Non-permanent members are elected in June of each year, six months in advance of the January term start to allow Member States sufficient time to prepare for their new role.¹⁹ Elections for non-permanent seats on the Council can be competitive, with states expressing interest and campaigning years in advance.²⁰ Member States elected to serve on the Security Council are expected to represent the interests of their region, and they usually have influence at the international level and demonstrate leadership in specific areas of interest to their foreign policy.²¹ The 10 non-permanent members represent countries from five groups: Africa, the Asia-Pacific Group, Latin America and the Caribbean, the Eastern European Group, and Western European and Other.²² Each member of the Security Council has the ability to be represented at all meetings.²³ In the Provisional Rules of Procedure, Rule 13 allows for Members to be represented by an "accredited representative," such as a Head of Government.²⁴ The ten non-permanent members through 2022 currently include: Albania, Brazil, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, and the United Arab Emirates.

Every Member State of the Security Council has one vote.²⁵ Votes on all matters require a supermajority of nine Member States.²⁶ However, if one of the five permanent members of the Security Council votes "no" on a matter of substance, such as a draft resolution, it does not pass.²⁷ This is known as "veto power."²⁸ In the 1950s, Security Council Member States made frequent use of their veto power, but its usage declined in the 1960s, rising again in the 1970s and 1980s.²⁹ In the last decades, the use of the veto power has been comparatively rare.³⁰ In recent years, the Council has adopted many resolutions by consensus and has only been divided on a very limited number of issues.³¹

¹⁵ Security Council Report, Monthly Forecast August 2021, 2021; NGO Working Group on Women, Peace and Security, Mapping Women, Peace and Security in the United Nations Security Council: Report of the NGOWG Monthly Action Points, 2009-2010, 2010, p. 11.

¹⁶ Security Council Report, Monthly Forecast August 2021, 2021; NGO Working Group on Women, Peace and Security, Mapping Women, Peace and Security in the United Nations Security Council: Report of the NGOWG Monthly Action Points, 2009-2010, 2010, p. 15.

¹⁷ UN Security Council, *Current Members*, 2021.

¹⁸ UN Security Council, *Current Members*, 2021; UN DGC, *UN elects five new members to serve on the Security Council*, 2021.

¹⁹ UN DGC, UN elects five new members to serve on the Security Council, 2021; UN DGC, Ahead of Security Council Elections, General Assembly President Explains how a Country can get a Non-permanent Seat, 2016.

²⁰ UN DGC, Ahead of Security Council Elections, General Assembly President Explains how a Country can get a Non-permanent Seat, 2016.

²¹ Global Policy Forum, *Background on Security Council Reform*, 2020.

²² UN General Assembly, *Rules of Procedure*, 2017.

²³ Charter of the United Nations, 1945.

²⁴ UN Security Council, *Highlights of Security Council Practice 2019*, 2020.

²⁵ Charter of the United Nations, 1945.

²⁶ Ibid.

²⁷ UN Security Council, Voting System, 2021.

²⁸ Ibid.

²⁹ Security Council Report, In Hindsight: The Veto, 2013; Security Council Report, The Permanent Members and the Use of the Veto: An Abridged History, 2013.

³⁰ Security Council Report, The Permanent Members and the Use of the Veto: An Abridged History, 2013.

³¹ Security Council Report, In Hindsight: Consensus in the Security Council, 2014; Security Council Report, In Hindsight: The Veto, 2013.



Since 1993, the General Assembly has discussed several models to reform the Security Council.³² The key challenges in the reform of the Security Council are its membership, transparency, and working methods, and the veto power of the permanent five Member States.³³ Most recently, in a debate in November 2018, delegates of the UN General Assembly called for expanding the number of permanent members and abolishing the permanent member's use of veto power.³⁴

Each member of the Security Council holds the presidency of the Council for one month, rotating according to alphabetical order.³⁵ Security Council meetings can be held at any time when convened by the President and by the request of any Member State.³⁶ Under Rule 3 of the Provisional Rules of Procedure of the Security Council, the President shall call a meeting if a dispute or situation requires the Council's attention.³⁷ Due to this, the Security Council typically meets throughout the year in the UN Conference Building, but transitioned to meeting online through video conferences throughout the COVID-19 pandemic.³⁸ Any Member State may attend the Council's sessions if the body decides to extend an invitation.³⁹ Member States are often invited if the Security Council is discussing an issue that directly concerns the interests of the Member State.⁴⁰ Invited Member States do not have the right to vote but are allowed to submit proposals and draft resolutions.⁴¹ Furthermore, invited Member States can inform the Council about a current crisis in their region.⁴² However, such proposals may only be put to a vote at the request of a member of the Council.⁴³

The Security Council oversees many subsidiary bodies established under Article 29 of the Charter, including: the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, sanctions committees, and ad hoc committees.⁴⁴ The Security Council also works with the General Assembly to oversee the work of the Peacebuilding Commission (PBC).⁴⁵ Additionally, Security Council Member States participate in various working groups, which consist of some or all of the Security Council Member States and focus on regional issues, as well as improving the working methods of the Council itself.⁴⁶

Cooperation between the Security Council and other entities, such as the Organisation for the Prohibition of Chemical Weapons (OPCW) and the International Atomic Energy Agency (IAEA) is significant.⁴⁷ Partnerships with independent regional organizations, such as the European Union (EU) and the African Union (AU) are also of paramount importance for addressing a broad range of issues such as terrorism, disarmament, nuclear non-proliferation, and extreme violence from non-state actors.⁴⁸

³² Global Policy Forum, *Background on Security Council Reform*, 2020.

³³ Ibid.

³⁴ Nastranis, UN Security Council Reform Back on the Table Again, 2019.

³⁵ UN Security Council, Provisional Rules of Procedure of the Security Council (S/96/Rev.7), 1982.

³⁶ UN Security Council, Repertoire of the Practice of the Security Council, 2021.

³⁷ Ibid.

³⁸ Lynch, U.N. Agencies Struggle to Carry on Remotely, 2020; UN Security Council, Repertoire of the Practice of the Security Council, 2019.

³⁹ Lynch, U.N. Agencies Struggle to Carry on Remotely, 2020.

⁴⁰ Charter of the United Nations, 1945.

⁴¹ UN Security Council, Provisional Rules of Procedure of the Security Council (S/96/Rev.7), 1982.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ UN Security Council, *Committees, Working Groups and Ad Hoc Bodies*, 2021.

⁴⁵ Ibid.

⁴⁶ UN Security Council, Repertoire of the Practice of the Security Council, 2021.

⁴⁷ UN Security Council, Committees, Working Groups and Ad Hoc Bodies, 2021; UN Security Council, The situation in the Middle East (S/RES/2349) (2013)), 2013.

⁴⁸ UN Security Council, *Committees, Working Groups and Ad Hoc Bodies*, 2021; UN Security Council, *The situation in the Middle East (S/RES/2349) (2013))*, 2013.



Mandate, Functions, and Powers

The mandate of the Security Council is to maintain international peace and security and to take action whenever peace and security are threatened.⁴⁹ The Council's authority is particularly relevant with respect to the UN's four primary purposes, as specified in the Charter: maintaining international peace and security; developing friendly relations among nations; cooperating in solving international problems; and promoting respect for human rights.⁵⁰ The capabilities of the Security Council are highlighted in Chapters V–VIII.⁵¹ Chapter V establishes the structure, membership, functions, and powers of the Security Council.⁵² Chapters VI and VII of the Charter specifically concern the Security Council and the range of actions that can be taken when settling disputes.⁵³ Chapter VI of the Charter by itself aims to settle disputes through peaceful means, such as negotiation and judicial settlement.⁵⁴ Chapter VII explores further actions that can be taken in regard to threats to peace, breaches of peace, and acts of aggression.⁵⁵ This chapter also authorizes the Security Council to implement provisional measures aimed to de-escalate conflict situations.⁵⁶ Chapter VIII of the Charter allows the Security Council to call upon other regional agencies or arrangements to enforce appropriate operations and intervene if necessary.⁵⁷

Under Article 41 in the Charter, the Council may: call on members to apply economic sanctions and measures not involving use of force; call for arms embargos, enforce disarmament, call upon international criminal mechanisms to become active; use diplomatic tools to investigate situations that might lead to aggression (between states, non-state groups, and within state territories); and take military action against states or entities threating international peace and security.⁵⁸ The Council may also decide upon the deployment of new UN peacekeeping operations to be led by the Department of Peace Operations (DPO).⁵⁹ The Security Council creates a peacekeeping operation by adopting a resolution that outlines the mandate and size of a particular mission, and UN peacekeepers are assigned to appropriate regions to address conflicts.⁶⁰ The Council also cooperates with a number of international and regional organizations as well as non-governmental organizations to implement its decisions.⁶¹ The Security Council often provides readouts to the Secretary-General and General Assembly, and has the powers 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."⁶²

Recent Sessions and Current Priorities

Despite facing unprecedented challenges in 2020 and 2021, the Security Council has continued its attempts to help alleviate damage caused by the COVID-19 pandemic and promote peace and security throughout complex emergencies and compound crises.⁶³ As of September 2021, the Security Council has covered a wide range of topics so far this year, issued 16 presidential statements, and adopted more than 20 resolutions.⁶⁴ In general, the Security Council focuses efforts to consider country and region-specific situations in its agenda, as well as cross-cutting and thematic issues, such as threats to

- 53 Ibid.
- 54 Ibid.
- 55 Ibid.
- 56 Ibid.
- 57 Ibid.

⁴⁹ UN Security Council, What is the Security Council?, 2021.

⁵⁰ Charter of the United Nations, 1945.

⁵¹ Ibid.

⁵² Ibid.

⁵⁸ Charter of the United Nations, 1945; UN Security Council, Functions and Powers, 2021.

⁵⁹ UN Peacekeeping, *Forming a New Operation*.

⁶⁰ UN Peacekeeping, Role of the Security Council.

⁶¹ UN Security Council, Repertoire of the Practice of the Security Council, 2021.

⁶² UN Security Council, *Functions and Powers*, 2021.

⁶³ UN DGC, Security Council Calls for Increased Global Cooperation to Facilitate COVID-19 Vaccine Access in Conflict Areas, Unanimously Adopting Resolution 2565 (SC/14454), 2021.

⁶⁴ UN Security Council, *Resolutions Adopted by the Security Council in 2021*, 2021.



international peace and security by non-state actors, financing of terrorism, and climate change, peace, and security.⁶⁵ In 2021, amongst others, the Council has drafted resolutions to address complex situations in Afghanistan, the Middle East, and Africa, UN Peacekeeping Operations, and administrative matters of recommending the appointment of the Secretary-General of the United Nations and elections for International Court of Justice vacancies.⁶⁶

In 2019, the Security Council adopted resolution 2482 (2019) on "Threats to international peace and security" focusing on international terrorism and organized crime" and resolution 2462 (2019) also on "Threats to international peace and security caused by terrorist acts," which outlined measures to suppress the financing of terrorism.⁶⁷ Resolution 2482 urges Member States to investigate and dismantle organized crime networks involved in trafficking, and to review and implement legislation on issues such as sexual and gender-based violence in armed conflict by ensuring that domestic laws and regulations are in line with Member States' obligations under international law.⁶⁸ Resolution 2462 calls for the UN Office of Counter-Terrorism (UNOCT) to play a leading role in identifying ways to suppress terrorist financing through expanding its focus and working closely with the Financial Action Task Force, an intergovernmental body that sets standards for combating money laundering and terrorist financing.⁶⁹

The Security Council holds a quarterly open debate on the Situation in the Middle East, including the Palestinian Question.⁷⁰ The ongoing conflict in Syria has led to over 5.6 million refugees and 6.1 internally displaced people.⁷¹ Security Council resolution 2504 (2020) and Security Council resolution 2533 (2020), both on "The situation in the Middle East," further call upon all parties to improve the humanitarian situation in Syria by adhering to international law and by assuring safe access for humanitarian convoys to the regions defined in paragraphs 2 and 3 of Security Council resolution 2165 (2014) on "The situation in the Middle East."⁷² Security Council resolution 2585, adopted 9 July 2021, also on "The situation in the Middle East" demands implementation of all preceding resolutions relating to Syria and brings attention to urgent impacts of the COVID-19 pandemic on Syria that exacerbate ongoing humanitarian needs.⁷³

Regarding peace and security in Africa, the Council has reacted to situations in the Central African Republic, Sudan, South Sudan, the Democratic Republic of Congo, and the situation in Mali.⁷⁴ Mali, specifically, has been struggling with issues of safety of its citizens, ineffective governance, and economic and political instability, which has been exacerbated by nepotism and corruption in government.⁷⁵ In 2021, the Security Council adopted resolution 2584 on "The situation in Mali," which renews the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) until 30 June 2022.⁷⁶ The new mandate of MINUSMA updated the mission's primary goal to focus on capacity building of civilian leadership and political transition support on the heels of several coup d'états in August 2020 and May 2021, and ongoing terrorist attacks in Northern and Central Mali.⁷⁷

⁶⁵ UN DPPA, Security Council Reporting and Mandate Cycles, 2018; Security Council Report, Thematic and General Issues, 2018.

⁶⁶ UN Security Council, *Resolutions Adopted by the Security Council in 2021*, 2021.

⁶⁷ UN Security Council, *Highlights of Security Council Practice*, 2019.

⁶⁸ UN Security Council, Threats to International Peace and Security (S/RES/2482 (2019)), 2019.

⁶⁹ UN Security Council, Threats to International Peace and Security Caused by Terrorist Acts: Preventing and Combating the Financing of Terrorism (S/RES/2462 (2019)), 2019.

⁷⁰ Security Council Report, The Situation in the Middle East, Including the Palestinian Question: Quarterly Open Debate, 2021.

⁷¹ UN DGC, Syria, 2020.

⁷² UN Security Council, *The situation in the Middle East (S/RES/2504 (2020))*, 2020.

⁷³ UN Security Council, The situation in the Middle East (S/RES/2585 (2021)), 2021.

⁷⁴ UN Security Council, Resolutions Adopted by the Security Council in 2020, 2020; UN General Assembly, Report of the Security Council for 2020 (A/75/2), 2021.

⁷⁵ UN DGC, *Mali*, 2020.

⁷⁶ UN Security Council, The situation in Mali (S/RES/2584 (2021)), 2021.

⁷⁷ Security Council Report, *Monthly Forecast August 2021: Africa – Mali*, 2021.



In response to the recent events in Afghanistan, the Security Council adopted resolution 2593 in August 2021 on "The situation in Afghanistan," which called upon all parties to maintain respect for humanitarian relief activities, reaffirmed demands for all actors to not aid, abet, train or finance terrorism following the Taliban's seizure of power.⁷⁸ Subsequently, the Security Council adopted resolution 2596 in September 2021 on "The situation in Afghanistan," which extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 17 March 2022 and requested a report from the Secretary-General on strategic and operational recommendations for the future of the UNAMA and the international community's response to continued humanitarian and counter-terrorism concerns.⁷⁹

Thematically, the Council has been increasing the number of briefings on climate change and how it impacts international security.⁸⁰ Usually, the Conference of the Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC) lead climate mitigation and adaptation measures, and contributions to such measures are outlined in the Paris Agreement.⁸¹ However, discussions continue to unfold to determine the potential role of the Security Council and its existing tools such as the Informal Expert Group of Members of the Security Council on Climate and Security in future climate security matters, considering the Council's UN Charter-given mandate to uphold international peace and security, ⁸² In September 2021, the Security Council convened a high-level debate on Climate Change and Security, where Ireland's Taoiseach (Prime Minister) and Council President for September called for a "concerted multilateral response to climate change" and announced plans to convene discussions about a draft Security Council resolution on climate and security, noting the upcoming landmark UN Conference on Climate Change (COP26) to be held in Glasgow from October-November 2021.⁸³ While the Council has yet to adopt a thematic resolution dedicated directly to the impact of climate change on peace and security, in 2017, it did discuss the adverse regional security effects of ecological factors in the Lake Chad Basin in Security Council resolution 2349 on "Peace and security in Africa."⁸⁴

Additionally, the Security Council continues to work on Youth, Peace and Security and preventing the involvement of children in armed conflict.⁸⁵ The June 2021 annual open debate on Children in Armed Conflict brought forth calls to re-focus on protecting children's rights to education, due in part to both the COVID-19 pandemic and in many areas, protracted periods of conflict and insecurity.⁸⁶

Conclusion

The Security Council is one of the main bodies of the UN that ensures international peace and security, overseeing the admission of new members to the UN General Assembly, and changes to the UN Charter.⁸⁷ As the Council is the only UN body that has the ability to create legally binding decisions, it has a unique and impactful mandate to set norms and govern state actions, as all Member States are required to comply under Chapter VII of the Charter.⁸⁸ The adoption of the 2030 Agenda signaled the increasing need for the Security Council to also discuss the linkages between peace and security, and issues of human security and development.⁸⁹ The Council is beginning to look at the intersection between the SDGs and international peace and security, namely through discussion and debates on climate

⁷⁸ UN Security Council, The situation in Afghanistan (S/RES/2593 (2021)), 2021.

⁷⁹ UN Security Council, The situation in Afghanistan (S/RES/2596)), 2021.

⁸⁰ Security Council Report, *Monthly Forecast March* 2021, 2021.

⁸¹ COP 21, Paris Agreement, 2015.

⁸² Security Council Report, The UN Security Council and Climate Change, 2021.

⁸³ UN DGC, Differences Emerge over Appropriate Forum for Discussing Climate Change, as Delegates Hold Debate on Links between Global Crisis, Security, 2021.

⁸⁴ UN Security Council, Peace and security in Africa (S/RES/2349 (2017)), 2017.

⁸⁵ Security Council Report, *Children and Armed Conflict*, 2021.

⁸⁶ Security Council Report, Children and Armed Conflict: VTC Open Debate. 2021.

⁸⁷ UN Security Council, What is the Security Council?, 2019.

⁸⁸ Charter of the United Nations, 1945.

⁸⁹ UN General Assembly, *Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.



change.⁹⁰ The Security Council will continue to address regional and country issues, as well as complex thematic issues, such as new forms of terrorism, cyber threats, and gender-related concerns.⁹¹

Annotated Bibliography

Charter of the United Nations. (1945). Retrieved 8 August from: <u>https://www.un.org/en/about-us/un-charter/full-text</u>

The Charter of the United Nations provides a thorough explanation on the powers, and functions authorized to the Security Council. For instance, the Charter outlines where the use of force is acceptable and how the council is structured to combat threats to international peace and security. As the fundamental principles of the Security Council are written down in the Charter, this document should be the first resource for delegates to consider. Articles 27-32 of the Charter outlines the voting procedures of the committee and structure of how the committee conducts its business. Article 23, which sets the membership structure, and Articles 23–26, which discuss its basic functions and powers, are important for understanding both the structure and function of the Security Council. In addition, Articles 27–32 explain the Council's voting procedure and its overall structure. The Charter can also be particularly helpful for delegates in understanding the powers and limitations of the body. Delegates will find Chapters VI and VII particularly helpful when researching the mandate of the Security Council and proposing actions and solutions.

Security Council Report. (2021). *Monthly Forecast August 2021*. Retrieved 19 August 2021 from: <u>https://www.securitycouncilreport.org/monthly_forecast/2021-08</u>

Each month, Security Council Report publishes a monthly forecast detailing the objectives of the Council's presidency and key issues at hand for the Council in the next month. For example, August 2021 is linked here for reference. In addition to timely background analysis and quick links to the most recently adopted resolutions, delegates will find the Status Update section particularly useful as it provides after-action reports for all debates and context about the adoption and negotiations of all resolutions, Presidential Statements, Press Statements, and actions taken by the Council in the preceding month. Reading this source over time will keep delegates well-informed of the dynamic decision-making trends and crisis response capacities of the Security Council.

United Nations, Department of Political and Peacebuilding Affairs. (2018). Security Council Reporting and Mandate Cycles. Retrieved 8 August 2021 from:

https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/general/reportingandmandatecyc les 122018.pdf

Published by the UN Department of Political Affairs, this document provides information on the work and decisions of the Security Council, including resolutions and presidential statements. The document primarily consists of tables on items that have been discussed by the Security Council, various requests by the Security Council, and mandates of different entities and operations that report to the Council. This report will help delegates by providing succinct and clear information on the recent actions taken by the Security Council on its various thematic issues. Additionally, delegates may find the tables providing the actual clauses of different Security Council resolutions particularly helpful to their research.

⁹⁰ Mead, UN Security Council Addresses Climate Change as a Security Risk, 2019.

⁹¹ UN DGC, Fragile Countries Risk Being 'Stuck in a Cycle of Conflict and Climate Disaster,' Security Council Told, 2018.



United Nations, General Assembly, Seventy-Fifth Session. (2021). *Report of the Security Council for 2020 (A/75/2)*. Retrieved 24 June 2021 from: <u>https://undocs.org/en/A/75/2</u>

Each year, the Security Council compiles a report to the UN General Assembly that assesses ongoing threats and the progress made on the global and regional issues at hand. It summarizes debate, resolutions, and all actions taken by the Council throughout the preceding year. Delegates will find this report a useful one-stop-shop to review the most recent actions of the Security Council. They will also find a concise overview of matters brought to the attention of the Security Council but not discussed at meetings, which could shed light upon ongoing matters that the Council might soon address.

United Nations, Security Council. (2020). *Highlights of Security Council Practice 2019*. Retrieved on 8 August 2021 from: <u>https://www.un.org/securitycouncil/content/highlights-2019</u>

This article reviews the activities and resolutions adopted by the Security Council during the last year. This is a useful recap of all the issues that the Security Council has addressed or currently still needs to resolve. The Security Council highlights for the previous years are also available. For a more detailed report, the Security Council also reports monthly updates. There are useful charts and graphics depicting the activity of the Council within 2019, detailing number of meetings, regional focuses, and decisions by geographical regions.

United Nations, Security Council. (2021). *Functions and Powers*. Retrieved 23 June 2021 from: <u>https://www.un.org/securitycouncil/content/functions-and-powers</u>

This resource provides delegates with a comprehensive overview of the mandate and functions of the Security Council. Created by the Security Council itself, it provides official guidance on the powers of the Security Council and actions that can be taken through resolutions and statements. Delegates will find this resource useful when determining options available to respond to international issues or crises at hand.

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1. Addressing Threats to International Peace and Security from Non-State Actors

Introduction

Past Security Council resolutions have described non-state actors (NSA) as individuals or groups that are not affiliated with any particular government and do not act lawfully under the authority of one Member State.⁹² The International Network for Economic, Social & Cultural Rights uses a broader definition, also including non-governmental organizations (NGOs), civil society entities, private organizations, businesses, and armed militant & paramilitary groups under the definition of non-state actors, even when they are engaged in humanitarian activities.⁹³ When the Security Council discusses NSAs, it typically focuses on terrorist organizations and militant groups that pose threats to national and international security.⁹⁴ The United Nations (UN) has also noted with particular concern that some NSAs are actively seeking to acquire weapons of mass destruction (WMD), first defined by the now dissolved Commission on Conventional Disarmaments and defined as lethal explosive material, radioactive, chemical, and biological weaponry, and other weapons deemed to be as destructive as an atomic bomb.⁹⁵

The Security Council has adopted several resolutions encouraging Member States to implement measures to secure WMD from NSAs and report on their progress.⁹⁶ While the Security Council intends to deter the threat to international peace and security that NSAs pose, their success relies upon successful implementation of resolutions by Member States.⁹⁷ Aside from the acquisition of WMD, NSAs also pose a significant challenge in terms of international response.⁹⁸ They often engage in activities that do not fall within definitions of conventional armed conflict, engage in violent or illicit activity within a single Member State's borders, and frequently attempt to establish forms of governance within areas they control.⁹⁹ Additionally, NSAs, such as the Revolutionary Armed Forces of Colombia (FARC) and the Taliban in Afghanistan do not answer to a particular government, making it challenging for a Member State or the International Criminal Court to hold them accountable for illicit activity and acts of violence.¹⁰⁰ Other NSA operational actions, such as cybercrime, human rights violations, and transnational organized crime are additional threats to international peace and security posed by NSAs, and are seen as an area of future priority for the Security Council.¹⁰¹ Vast technological growth throughout the world has led to new potential threats to peace and security by NSAs, with critical infrastructure, such as healthcare systems, energy grids, and financial institutions, now being primary targets.¹⁰²

International and Regional Framework

There are several entities addressing terrorist acquisition of WMD with only limited formal frameworks directly addressing other threats to international peace and security posed by NSAs.¹⁰³ The *International*

⁹² UN Security Council, Working Methods Handbook; UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)), 2004.

⁹³ International Network for Economic, Social & Cultural Rights, *Non-State Actors*.

⁹⁴ UN DGC, States Must Step Up Efforts to Check Spread of Deadly Weapons as Non-State Actors Exploit Rapid Technological Advances, Speakers Tell Security Council (SC/12888), 2017.

⁹⁵ Carus, Occasional Paper 8: Defining "Weapons of Mass Destruction," Center for the Study of Weapons of Mass Destruction, 2012. p. 5.

⁹⁶ UN Security Council, Agenda Items: Thematic Issues; UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)), 2004.

⁹⁷ UN 1540 Committee, *General Information*.

⁹⁸ Briscoe, Non-conventional armed violence and non-state actors: challenges for mediation and humanitarian action, Norwegian Peacebuilding Resource Centre, 2013.

⁹⁹ Ibid.

¹⁰⁰ Briscoe, Non-conventional armed violence and non-state actors: challenges for mediation and humanitarian action, Norwegian Peacebuilding Resource Centre, 2013; Hofmann & Schneckener, Engaging non-state actors in state and peace-building: options and strategies, 2011.

¹⁰¹ UN DGC, 'Explosive' Growth of Digital Technologies Creating New Potential for Conflict, Disarmament Chief Tells Security Council in First-Ever Debate on Cyberthreats (SC/14563), 2021.

¹⁰² Ibid.

¹⁰³ UNOCT, What We Do.



Convention for the Suppression of Acts of Nuclear Terrorism (2005) is an effort by the international community to address the potential for nuclear terrorism.¹⁰⁴ The landmark Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (1968) outlines nuclear non-proliferation and stockpiling measures of nuclear material, and is used as a framework document by international entities such as the International Atomic Energy Agency (IAEA).¹⁰⁵ To address threats posed by acts of terrorism, the international community has adopted several treaties and conventions, including the International Convention for the Suppression of Terrorist Bombings (1997) and the International Convention for the Suppression of the Financing of Terrorism (1999).¹⁰⁶ Each of these conventions addresses terrorist acts, suggests Member States establish measures to punish those who carry out acts of terrorism or actively engage in the funding of terrorist activities, and adopt legislation to ensure terrorist acts and financing are thoroughly investigated and suppressed.¹⁰⁷ While both conventions promote measures to address threats posed by NSAs, the conventions are not applicable to individuals who finance or carry out acts of terrorism in just one Member State, or are a citizen of the Member State in which they have carried out the act.¹⁰⁸ Both conventions also indicate that Member States are not able to take legal action against NSAs if they are found within the Member State where they carried out the act.¹⁰⁹ Nevertheless, parties to the convention are expected to assist each other in efforts to prevent, investigate, and extradite those who participate in terrorist activities.110

The Security Council directly addressed the threat of NSAs with multiple resolutions over the last two decades.¹¹¹ Resolution 1540 (2004) explicitly seeks to prevent NSAs from acquiring nuclear, chemical, and biological weapons.¹¹² The resolution contains provisions requiring Member States to refrain from supporting NSAs in their pursuit of WMD and established the 1540 Committee, the entity responsible for reporting on the implementation of the resolution.¹¹³ Security Council resolution 2325 (2016) called for more assistance in implementing measures to prevent NSAs from acquiring and using WMD and using cyber technology to conduct malicious behavior.¹¹⁴ During the height of the COVID-19 pandemic in 2020, the Security Council was unable to conduct a comprehensive review of resolution 1540 (2004) and its implementation, and in April of 2021, the Security Council adopted resolution 2572, unanimously determining to extend the mandate of the 1540 Committee to February of 2022.¹¹⁵ The most recent review in 2016 indicated that there was an increase in the number of legally-binding measures adopted

- ¹⁰⁷ UN General Assembly, International Convention for the Suppression of Terrorist Bombings (A/RES/52/164), 1997; UN General Assembly, International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109), 1999.
- ¹⁰⁸ UN General Assembly, International Convention for the Suppression of Terrorist Bombings (A/RES/52/164), 1997; UN General Assembly, International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109), 1999.
- ¹⁰⁹ UN General Assembly, International Convention for the Suppression of Terrorist Bombings (A/RES/52/164), 1997; UN General Assembly, International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109), 1999.
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- ¹¹¹ UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)), 2004; UN Security Council, Agenda Items: Thematic Issues.

¹⁰⁴ UN General Assembly, International Convention for the Suppression of Acts of Nuclear Terrorism (A/RES/59/290), 2005.

¹⁰⁵ UN General Assembly, Treaty on the Non-Proliferation of Nuclear Weapons (A/RES/2373 (XXII)), 1968.

¹⁰⁶ UN General Assembly, International Convention for the Suppression of Terrorist Bombings (A/RES/52/164), 1997; UN General Assembly, International Convention for the Suppression of the Financing of Terrorism (A/RES/54/109), 1999.

¹¹² UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)), 2004.

¹¹³ UN Security Council, *Non-proliferation of weapons of mass destruction (S/RES/1540 (2004))*, 2004; UN Security Council, *Agenda Items: Thematic Issues*.

¹¹⁴ UN DGC, Security Council Adopts Resolution 2325 (2016), Calling for Framework to Keep Terrorists, Other Non-State Actors from Acquiring Weapons of Mass Destruction (SC/12628), 2016.

¹¹⁵ 1540 Committee, General Information; UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/2572 (2021)), 2021.



by Member States to counteract threats posed by NSAs, but that there is significant need to assist Member States and build their capacity to implement such measures.¹¹⁶ The 2016 comprehensive review also highlighted the continued need to address the threat posed by NSAs to advancing science and technology.¹¹⁷

Role of the International System

The General Assembly First Committee regularly addresses the threat of WMD acquisition by terrorist groups, most recently in its resolution 74/43 on "Measures to prevent terrorists from acquiring weapons of mass destruction" (2019).¹¹⁸ The resolution highlighted that international cooperation, adoption of non-proliferation measures, and strengthening of national and regional efforts are needed to prevent WMD acquisition by terrorist organizations.¹¹⁹ While the General Assembly First Committee regularly discusses matters relating to international peace and security, they cannot consider topics upon which the Security Council is actively seized, topics which are currently on the agenda of the Security Council.¹²⁰ The UN has cited a growing concern with the illicit use of information and communications technologies (ICTs) by NSAs, particularly for financing of terrorist activities, recruitment, and cyberattacks.¹²¹ In 2017, the UN General Assembly adopted resolution 73/27 on "Developments in the field of information and telecommunications in the context of international security," welcoming the incorporation of international norms and behaviors of states when it comes to ICTs and recommendations to ensure their territories are not used by NSA to carry out illicit activities using ICTs.¹²² Additionally, the Security Council has called for increased cooperation and partnerships between the public and private sector to establish polices and initiatives to combat rising threats to cybersecurity posed by terrorists.¹²³

The UN Office for Disarmament Affairs (UNODA) assists Member States with substantive and organizational tools in international peace and security, but does not directly engage in action addressing the threats posed by NSAs.¹²⁴ However, UNODA supports efforts and activities of the 1540 committee through the facilitation of national and regional implementation activities, collaboration between organizations at the international and regional levels, and partnerships with civil society and the private sector.¹²⁵ The IAEA conducts inspections and carries out measures outlined in the NPT by providing instruments to Member States to prevent nuclear material from falling into the hands of unpermitted parties, such as NSAs.¹²⁶ While the IAEA strives for non-proliferation of nuclear weapons, it does not work directly against threats to international peace and security, such as NSAs acquisition of WMD and other nuclear material.¹²⁷ Instead, the IAEA relies on cooperation from the States parties to the NPT and adherence to nuclear safeguards.¹²⁸

The Security Council remains active in addressing threats posed by NSAs with several resolutions in the past few years relating to acts of terrorism and financing of terrorist activity.¹²⁹ Security Council resolution

¹¹⁶ UN Security Council, Letter dated 9 December 2016 from the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council (S/2016/1038), 2016.

¹¹⁷ Ibid.

¹¹⁸ UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/74/43)*, 2019.

¹¹⁹ Ibid.

¹²⁰ Charter of the United Nations, 1945.

¹²¹ UNOCT, Cybersecurity.

¹²² UN General Assembly, Developments in the field of information and telecommunications in the context of international security (A/RES/73/27), 2018.

¹²³ UN Security Council, *Threats to international peace and security caused by terrorist acts (S/RES/2341 (2017))*, 2017.

¹²⁴ UNODA, About Us.

¹²⁵ UNODA, About Us; UNODA, UN Security Council Resolution 1540 (2004).

¹²⁶ IAEA, Basics of IAEA Safeguards, 2021.

¹²⁷ IAEA, Basics of IAEA Safeguards, 2021; IAEA, Security of nuclear and other radioactive material, 2021.

¹²⁸ IAEA, Basics of IAEA Safeguards, 2021.

¹²⁹ UNSSC, Understanding a new generation of non-state armed groups, 2015.



2178 on "Threats to international peace and security cause by terrorist acts" from 2014 acknowledges the role violent extremism plays in terrorism and calls upon Member States to take on initiatives to counter violent extremism.¹³⁰ The resolution was the first from the Security Council to address violent extremism.¹³¹ The Security Council also adopted resolution 2593 on "The Situation in Afghanistan" in August 2021, officially condemning the attacks in Afghanistan by the Taliban.¹³² Through the resolution, the Security Council emphasized a need for continued humanitarian assistance to Afghanistan and called for the Taliban to allow for unrestricted travel to and from Afghanistan.¹³³ Travel remains restrictive despite action of the Security Council, with many native Afghans finding themselves unable to flee the control of Taliban, which are recognized by the UN as an NSA.¹³⁴ The Security Council continued discussion on the threat posed by the NSA takeover of Afghanistan, adopting resolution 2596 in 2021 on "The situation in Afghanistan," extending the mandate of the UN Assistance Mission in Afghanistan, a special political mission to Afghanistan established in 2002, to March of 2022 and emphasizing the need to ensure peace and stability in the Member State.¹³⁵

In addition to UN efforts, the North Atlantic Treaty Organization (NATO) has committed resources to prevent WMD from falling into the hands of NSAs.¹³⁶ NATO's Joint Combined Chemical, Biological, Radiological, and Nuclear Defence Task Force, which primarily responds to armed conflict, was developed with the intent to respond to crisis situations including matters involving potential threats posed by NSAs.¹³⁷ Additionally, NATO recognizes NSAs as a hybrid threat, capable of using a combination of militarized and non-military actions to destabilize Member States, including cyberattacks, disinformation, and irregular warfare.¹³⁸ NATO has established a strategy to combat NSAs and hybrid threats through preparedness and deterrence mechanisms and encourages its allies to incorporate its measures.¹³⁹

Preventing Acquisition and Use of WMD by Non-State Actors

Resolution 1540 remains the most significant framework for the prevention of the acquisition of WMD by NSAs.¹⁴⁰ While the resolution is legally binding, it can only be effective if Member States who possess nuclear, biological, and chemical material choose to enact polices and measures to manage their stockpiles and prevent them from falling into the wrong hands.¹⁴¹ In 2019, H.E. Dian Triansyah Djani from Indonesia, then Chairperson of the 1540 committee, pointed to a need to implement national action plans with designated personnel to be used as points of contact to Member States in the successful incorporation of resolution 1540.¹⁴² These personnel would assist with coordination, peer review, and legislative action when it comes to efforts relating to resolution 1540.¹⁴³ The 1540 Committee's Group of Experts (GoE), which monitors implementation and provides assistance to the UN and its Member States,

¹³³ Ibid.

¹³⁰ UN Security Council, Threats to international peace and security caused by foreign terrorist fighters (S/RES/2178 (2014)); UNSSC, Understanding a new generation of non-state armed groups, 2015.

¹³¹ UNSSC, Understanding a new generation of non-state armed groups, 2015.

¹³² UN Security Council, *The situation in Afghanistan (S/RES/2593 (2021))*, 2021.

¹³⁴ UN Security Council, *The situation in Afghanistan (S/RES/2593 (2021))*, 2021; UN Security Council, *The situation in Afghanistan (S/RES/2596 (2021))*, 2021.

¹³⁵ UN Security Council, The situation in Afghanistan (S/RES/2596 (2021)), 2021; UNAMA, About Us.

¹³⁶ NATO, Combined Joint Chemical, Biological, Radiological and Nuclear Defence Task Force, 2020.

¹³⁷ Ibid.

¹³⁸ NATO, *NATO's response to hybrid threats*.

¹³⁹ Ibid

¹⁴⁰ UN 1540 Committee, General Information; UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)), 2004.

¹⁴¹ Ibid.

¹⁴² UN DGC, National Action Plans Can Help States Prevent Terrorists from Acquiring Weapons of Mass Destruction, 1540 Committee Chair Tells Security Council (SC/13742), 2019.

¹⁴³ Ibid.



is funded primarily through voluntary contributions from participating Member States, which has been an ongoing concern hindering the GoE's ability to fulfil its mandate.¹⁴⁴

In an effort to address terrorist acquisition of WMD, the General Assembly adopted resolution 74/43 (2019) on "Measures to prevent terrorist from acquiring weapons of mass destruction."¹⁴⁵ The resolution refers to a report of the same name from the Secretary-General (74/140), and reiterates the substantial need to develop national measures to address terrorist activity.¹⁴⁶ The report of the Secretary-General emphasizes the importance of Member States ratifying and following legislative policies outlined in the International Convention for the Suppression of Acts of Nuclear Terrorism (2005) as they attempt to criminalize acts of nuclear terrorism.¹⁴⁷ The report of the Secretary-General also provides responses from intergovernmental organizations, such as the Collective Security Treaty Organization, with particular emphasis on the continued sharing of best practices between Member States when it comes to WMD and terrorist organizations.¹⁴⁸ In addition, NATO has encouraged its Member States to adhere to resolution 1540, including increased safeguards to limit potential access to dangerous material by NSA.¹⁴⁹ The treaty organization, as of 2019, has enacted a series of non-binding guidelines for increased cooperation in WMD safequard measures between Member States and civil society.¹⁵⁰ The guidelines, as indicated by NATO, foster cooperation and confidence building in efforts to combat WMD terrorism.¹⁵¹ NATO has cited past attacks and use of chemical weapons in Syria, the United Kingdom, Malaysia, and Irag as reasons for increased safeguarding of material that could be used to develop WMD.¹⁵²

The Center for the Study of Weapons of Mass Destruction, also referred to as the WMD Center, is a research organization that studies the impact of WMD.¹⁵³ The WMD Center has pointed to technological advances as a barrier to terrorist acquisition of existing WMD and the material needed to develop them.¹⁵⁴ However, the WMD Center has indicated that by 2030 NSAs will have a better chance of developing their own WMD rather than acquiring them through illicit means, particularly biological and chemical weapons.¹⁵⁵ While private companies and non-governmental organizations may use chemical and biological material for peaceful means, the WMD Center has pointed to cyberspace as an area susceptible to terrorism.¹⁵⁷ Given the importance of cyberspace and the critical infrastructure needed to run certain programs and entities, a NSA's ability to launch an attack over cyberspace could redefine WMD, as these cyberattacks can cause massive destruction and disrupt the lives of many.¹⁵⁸ A recent example of this is the 2021 ransomware attack on the Colonial Pipeline in the United States of America.¹⁵⁹ The attack halted transfer of gasoline to much of the South-Eastern portion of the U.S, spurring fears of fuel shortages and

¹⁴⁴ UN DGC, National Action Plans Can Help States Prevent Terrorists from Acquiring Weapons of Mass Destruction, 1540 Committee Chair Tells Security Council (SC/13742), 2019.

¹⁴⁵ UN General Assembly, *Measures to prevent terrorists from acquiring weapons of mass destruction (A/RES/74/43)*, 2019.

¹⁴⁶ Ibid.

¹⁴⁷ UN General Assembly, Measures to prevent terrorists from acquiring weapons of mass destruction: Report of the Secretary-General (A/74/140), 2019.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Carus & Caves, Occasional Paper 10: The Future of Weapons of Mass Destruction: Their Nature and Role in 2030, *Center for the Study of Weapons of Mass Destruction*, 2014.

¹⁵⁴ Ibid., p. 24.

¹⁵⁵ Ibid., p. 27.

¹⁵⁶ Ibid., p. 28.

¹⁵⁷ Ibid., p. 30.

¹⁵⁸ Ibid., p. 30.

¹⁵⁹ Tucker, US recovers most of ransom paid after Colonial Pipeline hack, *The Associated Press*, 2021.



attacks elsewhere.¹⁶⁰ The program used to carry out the attack is one of several malware programs used by NSAs to hack into computer systems.¹⁶¹

Malware programs used by NSAs allow those carrying out the attack to bypass security systems, seize control of large amounts of data, and encrypt them with a unique password.¹⁶² In some attacks, NSAs will not return control of the system or files until a ransom is paid; in many cases, successful cyberattacks by NSAs are becoming more frequent, with Member States, NGOs, and their critical infrastructure falling victim to such malicious activity.¹⁶³ UN entities has also fallen victim to such illicit activity, as the propriety project management software, Umoja, was breached by an unknown group in April of 2021.¹⁶⁴ The hackers remained inside the UN project managing system for several months, compromising UN employee accounts and their data.¹⁶⁵ To address developments and potential use of malware programs, the WMD Center suggests remaining vigilant with all non-proliferation measures, anticipating potential threats posed by chemical and biological weapons, developing action plans to address the potential mishandling of such material, and bolstering the capacity of critical infrastructure to handle potential threats from cyberattacks and ransomware.¹⁶⁶

Case Study: Revolutionary Armed Forces of Colombia (FARC)

The Revolutionary Armed Forces of Colombia (FARC) were formed in 1964 by members of the Colombian Communist Party (PCC) as a way to combat the Colombian government in their attempt to acquire territory populated by the PCC.¹⁶⁷ FARC are considered to be a paramilitary organization by the international community and actively engage in tactics that transcend typical warfare, including kidnapping and terrorist activity.¹⁶⁸ FARC, like modern NSAs such as the Islamic State of Iraq and the Levant in Libya (ISIL), are funded through several means, such as illicit drug and weapons trade, taxation, and extortion.¹⁶⁹

FARC, like the Taliban in Afghanistan, do not stop at paramilitary activity.¹⁷⁰ FARC established itself as an organization with hierarchical properties and territorial control.¹⁷¹ In addition to its military-like structure, FARC established a secretariat in its territorial control responsible for executive duties, paramilitary plans, regional control & communications, and maintenance of infrastructure under FARC control.¹⁷² FARC were able to maintain territorial grasp of much of Southern Colombia as their ability to provide resources to lower income communities allowed for their message to resonate with local populations.¹⁷³ Despite this, FARC's grasp on the region was reduced by the end of 2010 as the Colombian government's military response drastically reduced FARC's paramilitary presence from an estimated 21,000 to roughly 7,000.¹⁷⁴ Many in the regions once highly inhabited by FARC paramilitary personnel still show support for FARC.¹⁷⁵

¹⁶¹ Ibid.

¹⁶⁵ Ibid.

¹⁶⁷ BBC News, Who are the Farc?, 2016.

¹⁶⁰ Tucker, US recovers most of ransom paid after Colonial Pipeline hack, *The Associated Press*, 2021.

¹⁶² Cybersecurity and Infrastructure Security Agency, *Ransomware 101*.

¹⁶³ Ibid.

¹⁶⁴ Shaban, Hackers breached U.N. computer networks earlier this year, *The Washington Post*, 2021.

¹⁶⁶ Carus & Caves, Occasional Paper 10: The Future of Weapons of Mass Destruction: Their Nature and Role in 2030, *Center for the Study of Weapons of Mass Destruction*, 2014, pp. 48-51.

¹⁶⁸ Ibid.

¹⁶⁹ BBC News, *Who are the Farc*?, 2016; McDermott, Gold overtakes drugs as source of Colombia rebel funds, *BBC News*, 2012.

¹⁷⁰ BBC News, Who are the Farc?, 2016.

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.



The international community recognizes FARC as an NSA capable of violence, with several Member States and the European Union (EU) going as far as to designate them as a terrorist organization.¹⁷⁶ The terrorist designations stem from FARC involvement in the recruitment of youth for paramilitary activity, extrajudicial execution of civilians, use of landmines and chemical weapons, all of which are human rights violations.¹⁷⁷ Despite the violent nature and illicit activity, the EU ceased to consider FARC a terrorist organization in 2016 to support a potential peace deal between FARC and the Colombian Government.¹⁷⁸

The Colombian government and FARC entered into peace negotiations and reached an agreement in November of 2016, with FARC ceasing violent activity and beginning to adhere to disarmament requirements in early 2017.¹⁷⁹ Before the end of 2017, FARC turned over more than 7,000 armaments to the UN and completely halted paramilitary action in Colombia.¹⁸⁰ In 2019, former members of FARC were able to acquire ten seats in the Colombian Congress, furthering initiatives to continue peace efforts between the former paramilitary NSA and government of Colombia.¹⁸¹ Later that year, a former high ranking official to FARC and several loyalists announced a return to military operation with a drastically reduced following.¹⁸² According to Ivan Marquez, a former leader of FARC, the announcement and revitalization of military activity was taking place due to the Colombian government failing to follow through with peace agreements.¹⁸³ Colombia, in response to the announcement and threats of violence within its borders, launched offensive security initiatives against the FARC loyalists, reducing their following significantly.¹⁸⁴ Despite this action, FARC is still estimated to have well over 2,000 members as of 2021 and remains a threat to the security of Colombia.¹⁸⁵

Conclusion

NSAs pose a unique threat to international peace and security.¹⁸⁶ The Security Council is tasked with addressing such threats and has attempted to mitigate their impact on the international community through frameworks such as resolution 1540 (2004).¹⁸⁷ The threat posed by NSAs has consistently been highlighted by the Security Council as cause for concern, and the Council agreed to extend the mandate of the 1540 Committee through 2022 in an effort to help prevent NSAs from acquiring WMD.¹⁸⁸ Due to the COVID-19 pandemic, comprehensive evaluation of resolution 1540, its progress and implementation

¹⁷⁶ EEAS, EU Suspends FARC from Terrorist List to Support Colombia Peace Deal, 2016.

¹⁷⁷ BBC News, Who are the Farc?, 2016; EEAS, EU Suspends FARC from Terrorist List to Support Colombia Peace Deal, 2016; Forero, Report Cites Rebels' Wide Use of Mines in Colombia, Washington Post, 2007; Human Rights Watch, International Humanitarian Law and its Application to the Conduct of the FARC-EP III. Abductions and Extrajudicial Executions, 2001; Human Rights Watch, More FARC Killings with Gas Cylinder Bombs: Atrocities Target Indigenous Group, 2005.

¹⁷⁸ EEAS, EU Suspends FARC from Terrorist List to Support Colombia Peace Deal, 2016.

¹⁷⁹ BBC News, Colombia signs new peace deal with FARC, 2016; BBC News, Who are the Farc?, 2016.

¹⁸⁰ Baddour & Faiola, As Colombia peace accord unravels, ex-FARC leaders take up arms, announce return to conflict, *The Washington Post*, 2019.

¹⁸¹ Ibid.

¹⁸² BBC News, Colombia signs new peace deal with FARC, 2016.

¹⁸³ Baddour & Faiola, As Colombia peace accord unravels, ex-FARC leaders take up arms, announce return to conflict, *The Washington Post*, 2019.

¹⁸⁴ Acosta, Colombia's illegal armed groups lost more than 5,000 members in 2020 -military commander, *Reuters*, 2021; Baddour & Faiola, As Colombia peace accord unravels, ex-FARC leaders take up arms, announce return to conflict, *The Washington Post*, 2019.

¹⁸⁵ Acosta, Colombia's illegal armed groups lost more than 5,000 members in 2020 -military commander, *Reuters*, 2021; Baddour & Faiola, As Colombia peace accord unravels, ex-FARC leaders take up arms, announce return to conflict, *The Washington Post*, 2019.

¹⁸⁶ International Network for Economic, Social & Cultural Rights, Non-State Actors; UN Security Council, Working Methods Handbook; UN Security Council, Resolution 1540 (2004), 2004; UN DGC, States Must Step Up Efforts to Check Spread of Deadly Weapons as Non-State Actors Exploit Rapid Technological Advances, Speakers Tell Security Council (SC/12888), 2017.

¹⁸⁷ UN Security Council, *Agenda Items: Thematic Issues*.

¹⁸⁸ UN Security Council, Letter dated 27 August 2020 from the chair of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council (S/2020/847), 2020.



measures to deter NSA from acquiring WMD remains to be seen.¹⁸⁹ NSAs continue to threaten the stability of Member States.¹⁹⁰ Aside from acquisition of WMD, NSAs pose a significant threat to national security, state sovereignty, human rights, NGOs, the private sector, cybersecurity and critical infrastructure.¹⁹¹ The continued growth of science and technology has led to more frequent malicious attacks by NSAs over cyberspace.¹⁹² The Security Council must consider potential for conflict, especially when it comes to the role of technologies, cyberspace, WMD, and disputes between governments and NSAs.¹⁹³

Further Research

Delegates will need to consider the following questions when conducting their research: What role does the Security Council play in addressing threats posed to international peace and security by NSAs? What can the International Community do when addressing threats to security by NSAs within the borders of one Member State? What measures can the Security Council take to address the acquisition of WMD by NSAs? What new and emerging threats to peace and security are posed by NSAs? Has the action taken in the past by the Security Council and other bodies proven to be effective? Are there existing frameworks that the international community can use to address threats posed by NSAs other than the acquisition of WMD? What role does science, technology, and cyberspace play when discussing maintenance of peace and security? How do NSAs like FARC and the Taliban affect the international community and can the areas they control ever truly be considered legitimate states? How can the Security Council address threats to international peace and security with respect to the *2030 Agenda for Sustainable Development*?

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British Broadcasting Corporation News. (2016). *Who are the Farc?* Retrieved 12 August 2021 from: <u>https://www.bbc.com/news/world-latin-america-36605769</u>

The FARC are seen as a non-state actor engaging in paramilitary activity in the Latin America region. Much like the Taliban, FARC are an example of an NSA acting under political beliefs and engaging in activity that threatens international peace and security. The source provides a brief history of FARC and action taken to combat the NSA group in Latin America. Delegates will find the source useful as it provides several areas of research relating to FARC and serves as a starting point when discussing threats posed by NSA that may not immediately relate to WMD.

United Nations, 1540 Committee. (n.d.). *General Information*. Retrieved 9 August 2021 from: <u>https://www.un.org/en/sc/1540/about-1540-committee/general-information.shtml</u>

The 1540 committee serves as a subsidiary body of the Security Council, aiming to assist Member States with the implementation of resolution 1540 through monitoring, assistance, national implementation, cooperation with international organizations, and transparency. The committee consists of the 15 members of the Security Council and is assisted by a Group of Experts who are appointed by the Secretary-General and assist

¹⁸⁹ UN 1540 Committee, General Information; UN Security Council, Non-proliferation of weapons of mass destruction (S/RES/2572 (2021)), 2021.

¹⁹⁰ Ibid.

¹⁹¹ Forero, Report Cites Rebels' Wide Use of Mines in Colombia, Washington Post, 2007; Human Rights Watch, International Humanitarian Law and its Application to the Conduct of the FARC-EP III. Abductions and Extrajudicial Executions, 2001; Human Rights Watch, More FARC Killings with Gas Cylinder Bombs: Atrocities Target Indigenous Group, 2005; UNOCT, Cybersecurity ;UN Security Council, Threats to international peace and security caused by terrorist acts (S/RES/2341 (2017)), 2017.

¹⁹² UN Security Council, The situation in Afghanistan (S/RES/2596 (2021)), 2021; UNAMA, About Us.

¹⁹³ Baddour & Faiola, As Colombia peace accord unravels, ex-FARC leaders take up arms, announce return to conflict, The Washington Post, 2019; UN DGC, 'Explosive' Growth of Digital Technologies Creating New Potential for Conflict, Disarmament Chief Tells Security Council in First-Ever Debate on Cyberthreats (SC/14563), 2021.



the committee with its work. Delegates will find this source useful as it provides a look into the mandate of the 1540 Committee, its meeting notes, and its role in preventing non-state actors from acquiring weapons of mass destruction.

United Nations Assistance Mission in Afghanistan. (n.d.). *About Us*. Retrieved 19 September 2021 from: <u>https://unama.unmissions.org/about</u>

The UNAMA is a special political mission of the UN in Afghanistan, providing assistance to the Member State and its people. UNAMA works with over 20 different UN agencies in an effort to maintain peace and stability and spur sustainable development within the Member States' borders. The political mission was renewed in September 2021 by the Security Council in an effort to address the humanitarian crisis as a result of Taliban take over. Delegates will see use in the source as it provides an example of UN and Security Council action to address threats posed by NSA and efforts to maintain peace and security.

United Nations Office of Counter-Terrorism. (n.d.). *Cybersecurity*. Retrieved 21 September 2021 from: <u>https://www.un.org/counterterrorism/cybersecurity</u>

The UN Office of Counter-Terrorism serves as a leader to the General Assembly when it comes to implementation and mandates for counter-terrorism initiatives and serves to strengthen counter-terrorism measures for Member States. The source discusses the misuse of ICT, threats to cybersecurity posed by NSA, and some measures taken to address terrorist threats to cybersecurity. Delegates will find the source provides documents, sources, and press releases with relation to cybersecurity threats and resolutions adopted in an effort to address terrorist activity over cyberspace.

United Nations, Security Council, 4956th Meeting. (2004). Non-proliferation of weapons of mass destruction (S/RES/1540 (2004)). Retrieved 29 June 2021 from: https://undocs.org/S/RES/1540(2004) Resolution 1540 addresses threats to international peace and security by terrorist groups and non-state actors. The resolution established the 1540 committee, the entity comprising on Member States and experts to address the threats made by the acquisition of WMD by terrorist groups and other non-state actors. The Security Council also reviews implementation of resolution 1540 but has not done so since the height of the COVID-19 pandemic. Delegates will find this source useful, as it serves a as landmark document for the Security Council when it comes to combatting threats to international peace and security.

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2. The Situation in the Middle East, Including the Palestinian Question

Introduction

Across the Middle East, there are 55.7 million people that are in need of humanitarian assistance, 26 million of which were forcibly displaced.¹⁹⁴ Of those, nearly 6 million are Palestinian refugees, defined by the United Nations Relief and Works Agency for Palestine (UNRWA) as "persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict."¹⁹⁵ In addition to those included in that definition, UNRWA considers those descending from Palestinian refugees who fit certain criteria as being eligible to register for Palestinian refugee status today.¹⁹⁶

While the region has a long and complicated history, the current situation in the Middle East for Palestinian refugees and the occupied Palestinian territory (OPT) largely began in 1947.¹⁹⁷ That year, the General Assembly adopted resolution 181 on the "Future government of Palestine," which included the Plan of Partition with Economic Union.¹⁹⁸ In this resolution, the General Assembly called for the creation of an Arab and Jewish state from the British-controlled OPT, seeking to establish Jerusalem as "corpus separatum under a special international regime."¹⁹⁹ In 1948, one of the two proposed States, which would become Israel, proclaimed its independence, and a war broke out involving neighboring Arab States, resulting in Israel "expanding to include 77 percent of the territory mandated as Palestine by the plan, including the larger part of Jerusalem."²⁰⁰ A 1951 report by the General Assembly "indicated that the refugees from Israel-controlled territory amount to approximately 711,000."²⁰¹ This conflict has become known as the 1948 Arab-Israeli war.²⁰²

Regional tensions remained high until, eight years later, the second Arab-Israeli War began with Egyptian President Gamal Abdel Nasser's nationalization of the Suez Canal, a joint-venture operation ran between the British and French, which oversaw the Canal's operation since its creation.²⁰³ Israel, the United Kingdom, and France determined President Nasser a security threat, and launched operations beginning on October 29th, 1956 in response to the takeover of the canal.²⁰⁴ Following vetoes to intervene by the United Kingdom and France in the Security Council, the General Assembly took action under the precedent established by General Assembly resolution 377 (1950), "Uniting for Peace."²⁰⁵ The General Assembly then adopted resolution 998 (ES-1) (1956), establishing the UN Emergency Force (UNEF), the first United Nations (UN) peacekeeping mission.²⁰⁶

The Third Arab-Israeli war, also known as the Six-Day War, took place in 1967 and saw the defeat of the joint military efforts of Egypt, Syria, and Jordan, leading to Israel's capture of the West Bank, East Jerusalem, the Gaza Strip, the Golan Heights, and the Sinai Peninsula.²⁰⁷ The Security Council

¹⁹⁴ UNSDG, Policy Brief: The Impact of COVID-19 on the Arab Region: An Opportunity to Build Back Better, 2020, p. 12.

¹⁹⁵ UNHCR, Refugee Data Finder, 2021; UNRWA, Palestine Refugees, 2021.

¹⁹⁶ UNRWA, Palestine Refugees, 2021.

¹⁹⁷ UN General Assembly, *Future government of Palestine (A/RES/181(II))*, 1948.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ UN CEIRPP, *History of the Question of Palestine*, 2021.

²⁰¹ UN General Assembly, General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine: Covering the period from 11 December 1949 to 23 October 1950 (A/1367/REV.1/SUPP), 1951, p. 24.

²⁰² UN CEIRPP, *History of the Question of Palestine*, 2021.

²⁰³ United States Department of State, Office of The Historian, *The Suez Crisis, 1956, 2021.*

²⁰⁴ Ibid.

²⁰⁵ UN Peacekeeping, *Middle East – UNEF I Summary*.

²⁰⁶ UN General Assembly, Question Considered by the Security Council at its 749th and 750th meetings, held on 30 October 1956 (A/RES/998(ES-I)), 1956.

²⁰⁷ Westervelt, Six Day War: The East Jerusalem Controversy, *National Public Radio*, 2007.



responded by the adoption of resolution 242 (1967), calling for the "termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force."²⁰⁸ The interpretation of the language of the resolution has been a source of dispute, as its official translation and publication in different languages by the UN vary in whether a definite article's presence and absence between versions implies two different meanings.²⁰⁹ This has since led to questioning of the resolution's call for Israel's withdrawal from the then-newly occupied territories as either being from *all* or from *some* of the territories in question.²¹⁰

In October 1973, the Fourth Arab-Israeli conflict, also known as the Yom Kippur War, occurred as a surprise attack on Israel led by Egypt, Jordan and Syria.²¹¹ Israel's military response was successful, leading to Israel more than tripling its territory from its neighbors as it pushed back on advancements by opposition forces.²¹² The Security Council successfully brokered the end of the war by adopting resolution 340, after two previous resolutions failed to bring peace.²¹³ In 1978, the Palestine Liberation Organization (PLO) launched an attack on Israel from Lebanon, leading to Israel's invasion of the state.²¹⁴ During the 1974 Arab Summit, the PLO was recognized as the representative body of the Palestinian people, and it continues to be recognized as such in international forums today.²¹⁵ Eight days later, the Security Council adopted resolutions 425 and 426 (1978) calling for an end to the conflict.²¹⁶ The Security Council also established the United Nations Interim Force in Lebanon (UNIFIL) to aid in peacekeeping and oversee withdrawal operations.²¹⁷ UNIFIL still operates today following delayed withdrawals, two intifadas (uprisings) spanning several years each, a 34 day war between Hizballah and Israel in 2006, and continuing uncertainty in the region.²¹⁸ In 1993, the Oslo Accords were ratified by Israel and the PLO, which called for the establishment of a Palestinian Interim Self-Government Authority and a path towards a permanent Palestinian settlement that would lead to the implementations called for in Security Council resolutions 242 (1967) and 338 (1973).²¹⁹ Since then, territorial conflicts have been ongoing in the OPT, leading the Security Council to adopt resolution 2334 (2016), which deemed Israeli settlements in the OPT since 1967 as having "no legal validity."220

International and Regional Framework

The 1948 Universal Declaration of Human Rights (UDHR) is a landmark global framework forming the basis of over 70 human rights treaties since its drafting.²²¹ Articles 3, 13, and 26 of the UDHR establish that everyone has the right to security of person, the right to return to their country, and the promotion of understanding, tolerance, and friendship amongst all peoples.²²² It strongly influenced the development of the 1993 *Vienna Declaration and Programme of Action*, which states that "human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of

²¹⁴ UNIFIL, UNIFIL Background, 2021.

²²² Ibid.

²⁰⁸ UN Security Council, *Territories occupied by Israel (S/RES/242)*, 1967.

 ²⁰⁹ Rosenne, On Multi-Lingual Interpretation: UN Security Council Resolution 242, 1971.
²¹⁰ Ibid.

²¹¹ Westervelt, Six Day War: The East Jerusalem Controversy, *National Public Radio*, 2007.

²¹² Ibid.

²¹³ UN Security Council, UN Emergency Force for the Middle East (S/RES/340), 1973.

²¹⁵ Permanent Observer Mission of The State of Palestine to the United Nations, *Palestine Liberation Organization*, 2021.

²¹⁶ UNIFIL, UNIFIL Background, 2021.

²¹⁷ Ibid.

²¹⁸ UNIFIL, UNIFIL Background, 2021; Beauchamp, What Were the Intifadas?, Vox, 2018.

²¹⁹ UN Security Council, *Declaration of Principles on Interim Self-Government Arrangement (S/26560)*, 1993.

²²⁰ UN CEIRPP, History of the Question of Palestine, 2021; UN DGC, Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms, 2016; UN Security Council, The situation on the Middle East (S/RES/2334(2016)), 2016.

²²¹ UN General Assembly, Universal Declaration of Human Rights (A/RES/217 A (III)), 1948.



Governments."²²³ The UDHR's foundation was also used as a basis for several UN responses on the situation in the Middle East, including General Assembly resolution 302 (IV) (1949), which was adopted following the first Arab-Israeli conflict.²²⁴ This resolution is responsible for the establishment of UNRWA, which provides a wide variety of social and economic development assistance, and armed conflict recovery support.²²⁵ UNRWA has been continuously providing emergency assistance to those affected by conflict since the second intifada in 2000.²²⁶ Part of UNRWA's efforts in supporting the Security Council's goals for fostering peace and development in the OPT includes the promotion of *the 2030 Agenda for Sustainable Development* (2015) and Sustainable Development Goals (SDGs).²²⁷

In 1951, the *Convention Relating to the Status of Refugees* (Refugee Convention) was adopted by the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which convened under General Assembly resolution 429 (1950).²²⁸ The Refugee Convention established guidelines for assisting refugees, and the administrative and judicial processes meant to ensure refugees' self-determination.²²⁹ The 1967 Protocol Relating to the Status of Refugees went further by including dispute settlement between States Parties via referral to the International Court of Justice (ICJ) "at the request of any one of the parties to the dispute."²³⁰ OHCHR directly cites these two aforementioned documents as the key legal documents forming the basis of its work, noting that according to this legislation, the involved States are required to cooperate with the OHCHR to ensure that refugee rights are protected and respected.²³¹

The principal document establishing the rights of children is the 1989 *Convention of the Rights of the Child* (CRC), which is also the most widely ratified document on international human rights, with 196 parties.²³² Article 39 of the CRC outlines that, "States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts."²³³ This recovery and reintegration is also required to take place in an environment which fosters the health, self-respect and dignity of the child.²³⁴ The UN Children's Emergency Fund (UNICEF) has observed that that children are particularly affected by the situation in the Middle East, with 1.2 million children in-need in Gaza and the West Bank, approximately half of which required humanitarian assistance as a direct result of conflict since May 2021.²³⁵

Role of the International System

One of the first examples of the Security Council exercising its binding authority was in 1948, when it created the first UN peacekeeping mission, the UN Truce Supervision Organization (UNTSO) "to monitor the Armistice Agreement between Israel and its Arab neighbors" under Security Council resolution 50 (1948).²³⁶ The resolution's desire "to bring about a cessation of hostilities in the OPT without prejudice to

²³¹ UNHCR, The 1951 Refugee Convention, 2021.

²³³ UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

²²³ UN World Conference on Human Rights, Vienna Declaration and Programme of Action, 1993.

²²⁴ UNRWA, *Who We Are*, 2021.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ UNRWA, Sustainable Development Goals, 2021.

²²⁸ UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, *Convention Relating to the Status of Refugees*, 1951.

²²⁹ Ibid.

²³⁰ UNHCR, Protocol Relating to the Status of Refugees, 1967, p. 2.

²³² UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989; CRC, Day of General Discussion: "Children's Rights and Alternative Care" 16-17 September 2021, 2021.

²³⁴ Ibid., p. 11.

²³⁵ UNICEF, Six Grave Violations Against Children in Times of War, 2021; UNICEF, State of Palestine Appeal: Humanitarian Action for Children, 2021.

²³⁶ UN Peacekeeping, UN Peacekeeping: 70 Years of Service & Sacrifice, 2021; UN Security Council, The Palestine Question (S/RES/50), 1948.



the rights, claims and position of either Arabs or Jews" called for the UN Mediator in Palestine, and the Truce Commission, to "be provided with a sufficient number of military observers" necessary in order to put into effect Security Council Resolution 49's call for a cease-fire in the region.²³⁷ UNTSO still operates today and is the longest standing peacekeeping mission.²³⁸ It was following the Vienna Declaration that the General Assembly adopted resolution 48 (1993), establishing the OHCHR to further strengthen accountability regarding human rights violations.²³⁹ Since 1996, the OHCHR has operated in the OPT out of Ramallah and Gaza, monitoring and reporting on the on-ground developments.²⁴⁰

The Security Council's efforts in sustaining peace are complemented by the UN Department of Political and Peacebuilding Affairs (DPPA), which serves as the principle support structure for its work in providing conflict analysis, planning and support to the work of peace envoys.²⁴¹ The DPPA also oversees the UN Standby Team of Mediation Experts, the rapid-response group utilized during time sensitive scenarios needing negotiations in order to mitigate conflict escalations.²⁴² On the OPT, the DPPA provided assistance to the General Assembly's Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP).²⁴³ CEIRPP is responsible for developing and maintaining the UN Information System on the Question of Palestine and aiding the General Assembly with its annual report.²⁴⁴

On March 16, 2020, the ICJ submitted to the International Criminal Court (ICC) a motion arguing that the ICC had the authority to rule on certain issues regarding the OPT, stating: "The Palestinian Territory over which the Court should exercise jurisdiction comprises the West Bank, East Jerusalem, and Gaza. This position is supported by the jurisprudence and pronouncements of the International Court of Justice, the UN General Assembly, the Security Council, the Human Rights Council and of human rights treaty bodies."²⁴⁵ Article 13(b) of the Rome Statute, the founding document of the ICC, grants that the Security Council may refer to the ICC situations in which crimes have taken place and which fall under the jurisdiction of the ICC.²⁴⁶ Article 16 of the statute also allows the Council to defer an investigation or prosecution for one year through a Chapter VII resolution for reasons relating to the maintenance of international peace and security.²⁴⁷

On February 5, 2021, the ICC's Pre-Trial Chamber I (The Chamber) ruled that the Court may exercise its criminal jurisdiction on the Situation in Palestine, including Gaza, the West Bank, and East Jerusalem.²⁴⁸ In its deliberations, The Chamber clarified that that it was not determining whether Palestine fulfilled the requirements of statehood under public international law or making determinations on future borders; it was solely determining the scope of the Court's territorial jurisdiction for the purposes of the Rome Statute.²⁴⁹ OHCHR's Special Rapporteur on the situation of human rights in OPT remarked on the ICC's final determination as an opportunity to that "can only bring us closer to peace in the Middle East."²⁵⁰

²⁴⁷ Ibid.

²⁴⁹ Ibid.

²³⁷ UN Security Council, *The Palestine Question (S/RES/50)*, 1948.

²³⁸ UN Peacekeeping, Where We Operate, 2021.

²³⁹ UN OHCHR, Brief History of UN Human Rights, 2021.

²⁴⁰ UN OHCHR, OHCHR in Occupied Palestinian Territory, 2021.

²⁴¹ UN DPPA, Prevention and Mediation, 2021.

²⁴² UN DPPA, Standby Team of Senior Mediation Advisors, 2021.

²⁴³ UN DPPA, Palestinian Rights, 2021.

²⁴⁴ Ibid.

²⁴⁵ ICC, Situation in the State of Palestine (ICC-01/18), 2020, p. 3.

²⁴⁶ Security Council Report, In Hindsight: The Security Council and the International Criminal Court, 2018.

²⁴⁸ ICC, Statement of the Prosecutor, Fatou Bensouda, Respecting an Investigation of the Situation in Palestine, 2021.

²⁵⁰ UN OCHCR, ICC Ruling on Jurisdiction in Occupied Palestinian Territory Welcome Step Towards Justice: UN Expert, 2021.



The Al-Aqsa Mosque and Sheikh-Jarrah Conflict

The 2021 Israeli-Palestinian crisis began in April 2021, amidst the COVID-19 pandemic.²⁵¹ That month, the OHCHR warned of possible imminent violence as a result of evictions of Palestinians in the OPT that were to occur on 2 May 2021 in the Karm Al-Ja'buni area of Sheikh Jarrah in East Jerusalem.²⁵² On 7 May 2021 clashes between Palestinians and Israeli police forces erupted around and inside Al-Aqsa, sparking the crisis.²⁵³ As the situation was still unfolding, Secretary-General Antonio Guterres described the hostilities at an emergency meeting of the Security Council on 16 May 2021 as, "utterly appalling" for its toll on civilians already facing resource constraints in the middle of the COVID-19 pandemic.²⁵⁴ The Secretary-General concluded his remarks by calling for a sustainable political solution "to return negotiations with the goal of a two-States solution, with two States living side-by-side in peace, security and mutual recognition, with Jerusalem as the capital of both states, based on relevant UN resolutions, international law and prior agreements."²⁵⁵

Currently, the situation is in a state of ceasefire as of 20 May 2021 following agreements made between Israel and the Hamas.²⁵⁶ At the time of the ceasefire agreement, 265 individuals had been killed, thousands of rockets and air strikes were launched, and approximately 2,000 housing and commercial units were destroyed, ultimately leaving 112,000 individuals displaced.²⁵⁷ Despite the ceasefire being established, demolitions of Palestinian residences have continued in the OPT.²⁵⁸ The UN Special Coordinator for the Middle East Peace Process, Tor Wennesland, remarked on the destruction and displacement by calling attention to the health system in Gaza being likely "unable to meet the needs of those injured during the violence" and that the mass destruction that has occurred will lead to a sharp increase in violence, further exacerbating the humanitarian situation in the OPT.²⁵⁹ UNRWA has put forth a \$163.6 million funding effort to support the recovery and security of the region.²⁶⁰ UNRWA continues to warn of the increasing potential for further deterioration of the overall security situation in the West Bank as a result of "lack of accountability for settler violence and attacks on Palestinians and Palestinian property."261 At the Security Council's 8869th meeting on September 29th, 2021. Special Coordinator Wennesland urged for a solution to end occupation in the OPT and to re-energize efforts to achieve a two-state solution.²⁶² The Special Coordinator's words came days after Palestinian President Mahmoud Abbas' address to the General Assembly in which President Abbas called for Palestinian statehood.²⁶³ President Abbas stated Israel's actions as hostile and done in the spirit of preventing the prospect of a political sentiment from being reached.²⁶⁴ He concluded his remarks with "Our patience and the patience

²⁵² Ibid.

²⁵⁸ UNICEF, Escalation in the Gaza Strip, the West Bank and Israel, 2021, pp. 1-8.

²⁵¹ UN OHCHR, Israel/OPT: UN Experts Warn of Rising Levels of Israeli Settler Violence in a Climate of Impunity, 2021.

²⁵³ Kingsley, Evictions in Jerusalem Become Focus of Israeli-Palestinian Conflict, *The New York Times*, 2021.

²⁵⁴ UN DCG, Senseless Cycle of Bloodshed, Destruction between Israel, Palestinians in Gaza Must Stop Now, Secretary-General Tells Security Council (SC/14521), 2021.

²⁵⁵ UN DGC, Palestinian Rights Committee Gravely Concerned by Violence at Al-Aqsa Mosque, Escalation in Gaza, Calling for Efforts to 'Salvage Prospects' for Peace (GA/PAL/1437), 2021.

²⁵⁶ UN DGC, UN Chief Welcomes Gaza Ceasefire Announcement Between Israel and Hamas, 2021.

²⁵⁷ UN DGC, Lack of Political Horizon on Palestinian, Israeli Conflict 'Kills Hope', Gives Room for Those Not Interested in Peace, Special Coordinator Tells Security Council (SC/14535), 2021.

²⁵⁹ UN DGC, Lack of Political Horizon on Palestinian, Israeli Conflict 'Kills Hope', Gives Room for Those Not Interested in Peace, Special Coordinator Tells Security Council (SC/14535), 2021.

²⁶⁰ Ibid., p. 12.

²⁶¹ UNRWA, Updated Humanitarian and early Recovery Appeal – Hostilities in Gaza and Mounting Tensions in the West Bank: May-December 2021, 2021, p. 8.

²⁶² UN DGC, Re-Energized International Efforts Needed to End Occupation of Palestinian Territory, Attain Two-State Solution, Special Envoy Tells Security Council (SC/14650), 2021.

²⁶³ UN DGC, Statement by H.E. Mr. Mahmoud Abbas, President of the State of Palestine, United Nations General Assembly, General Debate of the 76th Session, 24 September 2021, 2021, p. 1.

²⁶⁴ Ibid., p. 1.



of our people have limits."²⁶⁵ President Abbas ended his statement with a words which expressed that the Palestinian people had a right to defend themselves.²⁶⁶

COVID-19 in OPT

Violence and conflict in the Middle East and North Africa (MENA) has significantly inhibited the region's ability to respond to the COVID-19 pandemic.²⁶⁷ Addressing this reality, the Security Council adopted resolution 2532 (2020), demanding "a general and immediate cessation of hostilities in all situations" in order to alleviate conflict-derived stressors on the global pandemic response.²⁶⁸ In 2020, the Security Council's Counter-Terrorism Committee found that critical infrastructure, such as healthcare services, had been specifically selected as targets of violence by state and non-state actors during the COVID-19 pandemic.²⁶⁹ In addition to this troubling trend, the pandemic has seen increasing levels of inequality, exacerbated social tensions, and surges in violence, especially gender-based violence and human trafficking, in the region.²⁷⁰

The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) found in their report, *Rapid Assessment on COVID-19 and Domestic Violence Services Across Palestine* (2020), that domestic violence has significantly increased in OPT due to the COVID-19 pandemic, and called for the international community to mobilize its security sector and coordinate with local actors to ensure the mobilization of appropriate resources.²⁷¹ Additionally, Sacha Bootsma, the Head of the World Health Organization's (WHO) Gaza suboffice, called attention to individuals being too scared to visit health facilities during conflict.²⁷² The conflict has also caused displaced individuals to take shelter in whatever accommodation is available, including in close proximity to one another in schools, community centers, and relatives' homes during the latest escalation, which has likely contributed to the spread of COVID-19.²⁷³

As tensions rose in the region again in 2021 and the Israeli-Palestinian Conflict in the OPT began, UNICEF highlighted the worsening humanitarian situation, especially in the Gaza Strip, "where the struggling health sector is already burdened by the COVID-19 pandemic."²⁷⁴ UNICEF also reported on the some 30 health facilities that were damaged and or destroyed in Gaza due to the conflict, with the significant total destruction of Al Shawa healthcare clinics and damage to the Rimal clinic in Gaza City, which according to reports, was the only major COVID-19 testing laboratory in the Gaza Strip.²⁷⁵

Conclusion

The Security Council utilizes its binding powers to shape and implement directives pertinent towards achieving the goals of the United Nations on a case-by-case basis in order to maintain international peace and security.²⁷⁶ In the case of the Palestinian Question, the Security Council has an extensive

²⁶⁵ UN DGC, Statement by H.E. Mr. Mahmoud Abbas, President of the State of Palestine, United Nations General Assembly, General Debate of the 76th Session, 24 September 2021, 2021, p. 6.

²⁶⁶ Ibid., p. 6.

²⁶⁷ UNSDG, Policy Brief: The Impact of COVID-19 on the Arab Region: An Opportunity to Build Back Better, 2020, p. 12.

²⁶⁸ UN Security Council, *Maintenance of international peace and security (S/RES/2532 (2020))*, 2020.

²⁶⁹ UN CTED, Update on the Impact of the COVID-19 Pandemic on Terrorism, Counter-Terrorism and Countering Violent Extremism, 2021, pp. 13-17.

²⁷⁰ Ibid., pp. 13-17.

²⁷¹ UN Women, In Brief: Rapid Assessment on COVID-19 and Domestic and Family Violence Services Across Palestine, 2021, pp. 1-4.

²⁷² Gladstone, The Assault on Gaza Halts Covid Shots and Could Spread the Virus, U.N. Officials Warn, *The New York Times*, 2021.

²⁷³ UNICEF, State of Palestine Receives its Third Allocation of COVID-19 Vaccines, 2021.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ UN Peacekeeping, Role of the Security Council, 2021.



history in monitoring developments in the OPT and acting when deemed necessary by the body.²⁷⁷ The dynamics of the situation are continuously evolving, with peace at the forefront of discussions.²⁷⁸ While the situation remains troubling, relationships between Israel and other Member States in the region have somewhat strengthened over time due to international trade agreements and diplomatic advancements, pointing to the possibility of fostering new channels of cooperation between Member States.²⁷⁹

Further Research

Moving forward, delegates can consider questions in their research such as: How have the Security Council's actions regarding the OPT changed over the years, if it all? How has the Security Council possibly evolved in its directives globally over time and increased its effectiveness in the region? Does economic development in the region pose a path towards keeping the peace? How are greater regional issues impacting the OPT? Is there still viability to a two-state solution? How can COVID-19 be addressed on the ground immediately, while respecting all parties' concerns regarding security and access to resources?

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The Convention on the Rights of the Child is the mostly widely ratified document in global history. Its articles outline the rights of children to have what it defines as a just upbringing. The document's calls aim to ensure the dignity of children in their pursuits towards self-determination and obligates States Parties to actively facilitate such opportunities. Delegates should consider, especially with regards to the situation in the OPT, what peace and security issues must be remedied in order to secure the rights of children.

United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons. *Convention Relating to the Status of Refugees*. (1951). Retrieved 15 September 2021 from: <u>https://www.un.org/en/genocideprevention/documents/atrocity-</u> crimes/Doc.23_convention%20refugees.pdf

The Convention Relating to the Status of Refugees is paramount in its proclamation of the universal rights afforded to all those that are refugees, regardless of the means of their displacement. From reading this document, the various positions and responses of the United Nations over the years in regard to conflict and disaster response may be better understood and analyzed. Delegates seeking to understand the challenges regarding territory disputes can look to this document for assistance in better understanding the intricacies involved navigating refugees' claims to nationality, and the intersect of country.

United Nations Relief and Works Agency for Palestine Refugees in the Near East. (2021). Updated Humanitarian and early Recovery Appeal – Hostilities in Gaza and Mounting Tensions in the West Bank: May-December 2021. Retrieved 14 September 2021 from:

https://www.unrwa.org/sites/default/files/content/resources/gazawbappeal_may-dec_eng.pdf

This report from UNRWA outlines the current challenges the agency is facing in providing support to the region. Its Situational Overview provides valuable insight for delegates in understanding both the conflict and COVID-19's impacts on Gaza and the West Bank. Furthermore, this resource includes an Intervention Summary in which UNRWA lays out recommendations how it intends to support the humanitarian needs of the region. This

²⁷⁷ UNCTAD, Background: The Question of Palestine, 2021.

²⁷⁸ Rahman, The Emergence of GCC-Israel Relations in a Changing Middle East, *The Brookings Institutions*, 2021.

²⁷⁹ Rahman, The Emergence of GCC-Israel Relations in a Changing Middle East, *The Brookings Institutions*, 2021.



intervention spans 13 methods that not only seek to stabilize the region, but help it recover from the conflict and COVID-19.

United Nations, Security Council, 7853rd meeting. (2016). *The situation in the Middle East (S/RES/2334 (2016))*. Retrieved 23 June 2021 from: <u>http://www.undocs.org/S/RES/2334(2016)</u>

This is the most recent resolution adopted by the Security Council on the Israeli-Palestine conflict. It's adopted between the Arab Spring and the present day demarcates an important inflection point in terms of terrorism, and states' cooperation with one another in the Middle East. The resolution itself notes of some Israeli settlements in the Palestinian terrorist as having "no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace." Studying the resolution's declaration and placement in the Middle East's timeline during the last decade will guide delegates during their research process as they come to understand the respective actors on both sides of the conflict.

United Nations, Security Council, 8749th meeting. (2020). *Maintenance of international peace and security (S/RES/2532(2020))*. Retrieved 8 November 2021 from: http://www.undocs.org/S/RES/2532(2020)

The Security Council adopted resolution 2532 (2020) on the "Maintenance of international peace and security" in July 2020, after multiple failed attempts to negotiate a global ceasefire, and in response to a call by the UN Secretary-General in March 2020. While the Security Council in resolution 2532 "Demands a general and immediate cessation of hostilities in all situations on its agenda," the ceasefire was limited to 90 days. Even though tensions between Israeli forces and Hamas have cooled over the past few months, this resolution serves as a key reminder of the impact of COVID-19 on peace and security in the occupied Palestinian Territories. Delegates will find this resolution useful as a point of reflection on how to address the COVID-19 situation in the occupied Palestinian territories from a peace and security perspective.

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