# NMUN · NW
## PORTLAND 2014

## SECURITY COUNCIL
### BACKGROUND GUIDE 2014

Written By: Sara Leister, Director

# NATIONAL MODEL UNITED NATIONS

## NATIONAL COLLEGIATE CONFERENCE association™

**Message from the Director-General Regarding Position Papers for the
2014 NMUN•Northwest Conference**

At the 2014 NMUN•Northwest Conference, each delegation or individual delegate submits one position paper for each committee assignment. The position paper reflects the state's overall policy and position within a particular committee. Therefore, the role that a state plays in a given committee should inform the writing of the paper.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your state should be identified and addressed. Making recommendations for action by your committee should also be considered. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference.

Please be forewarned, delegates must turn in material that is entirely original. NMUN/NCCA will not tolerate the occurrence of plagiarism. In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim re-creation of these documents. While quotes from UN or state documents are allowed and encouraged if clearly labeled as such, delegates may not use existing material to formulate their own policy within the committee. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incidents of plagiarism to the Secretariat.

Position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, delegates must have met the formal requirements listed below. Please refer to the sample position paper below this message for a visual example of what your work should look like at its completion. All papers must be typed and formatted in the same manner as this example. The following format specifications are required for all papers:

- Length must not exceed two single-sided pages (use standard size for your home region: A4 or 8.5 x 11 inches - US letter size).

- Margins must be set at 1 inch or 2.54 centimeters, for the whole paper.

- Font must be Times New Roman sized between 10 pt. and 12 pt.

- Body of the paper must be single-spaced.

- Country name, school name, and committee name must be clearly labeled on the first page.

- Agenda topics must be clearly labeled in separate sections.

- National symbols (headers, flags, etc.) are deemed inappropriate for NMUN position papers.

To be considered for awards, position papers need to be submitted by email in .pdf or .doc formats by 1 February 2014. As proof of submission, include yourself as an email recipient. Please use the committee name, your assignment, and delegation/school name in both the email subject line and in the filename (example: CSustD_Canada_Jupiter University).

1. Send one complete set of all position papers for each of your country assignments to the Director-General at dirgen.nw@nmun.org.

Once the formal requirements outlined above are met, Conference staff use the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.

- Citation of relevant resolutions/documents.

- General consistency with bloc/geopolitical constraints.

- Consistency with the constraints of the United Nations.

- Analysis of issues, rather than reiteration of the Committee Background Guide.

- Outline of official policy aims within the committee's mandate.

Should you have any questions please feel free to contact the Conference staff or myself. We are happy to answer any questions you may have, and are looking forward to working with you.

Sincerely,


Lucas Carreras
Director-General
NMUN•Northwest

# Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. Papers may be no longer than two single-sided pages. Only the first two pages of any submissions will be considered for awards.

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*Delegation from*                                           *Represented by*
**Canada**                                        **University of Jupiter**

### *Position Paper for the General Assembly Plenary*

The topics before the General Assembly Plenary are: Breaking the Link between Diamonds and Armed Conflict; the Promotion of Alternative Sources of Energy; and the Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa. Canada is dedicated to collaborative multilateral approaches to ensuring protection and promotion of human security and advancement of sustainable development.

## I. Breaking the Link between Diamonds and Armed Conflict

Canada endorses the Kimberley Process in promoting accountability, transparency, and effective governmental regulation of trade in rough diamonds. Canada believes the Kimberley Process Certification Scheme (KPCS) is an essential international regulatory mechanism and encourages all Member States to contribute to market accountability by seeking membership, participation, and compliance with its mandate. Canada urges Member States to follow the recommendations of the 2007 Kimberley Process Communiqué to strengthen government oversight of rough diamond trading and manufacturing by developing domestic legal frameworks similar to the Extractive Industries Transparency Initiative. Canada further calls upon participating states to act in accordance with the KPCS's comprehensive and credible systems of peer review to monitor the continued implementation of the Kimberley Process and ensure full transparency and self-examination of domestic diamond industries. The delegation of Canada draws attention to our domestic programs for diamond regulation including Implementing the Export and Import of Rough Diamonds Act and urges Member States to consider these programs in developing the type of domestic regulatory frameworks called for in General Assembly resolution 55/56. Canada recognizes the crucial role of non-governmental organizations (NGOs) in the review of rough diamond control measures developed through the Kimberley Process and encourages states to include NGOs, such as Global Witness and Partnership Africa Canada, in the review processes called for in General Assembly resolution 58/290. Canada urges Member States to act in accordance with General Assembly resolution 60/182 to optimize the beneficial development impact of artisanal and alluvial diamond miners by establishing a coordinating mechanism for financial and technical assistance through the Working Group of the Kimberley Process of Artisanal Alluvial Producers. Canada calls upon states and NGOs to provide basic educational material regarding diamond valuation and market prices for artisanal diggers, as recommended by the Diamond Development Initiative. Canada will continue to adhere to the 2007 Brussels Declaration on Internal Controls of Participants and is dedicated to ensuring accountability, transparency, and effective regulation of the rough diamond trade through the utilization of voluntary peer review systems and the promotion of increased measures of internal control within all diamond producing states.

## II. The Promotion of Alternative Sources of Energy

Canada is dedicated to integrating alternative energy sources into climate change frameworks by diversifying the energy market while improving competitiveness in a sustainable economy, as

exemplified through the Canadian Turning Corners Report and Project Green climate strategies. Canada views the international commitment to the promotion of alternative sources of energy called for in the Kyoto Protocol and the United Nations Framework Convention on Climate Change (UNFCCC) as a catalyst to sustainable development and emission reduction. Canada fulfills its obligations under Article 4 of the UNFCCC by continuing to provide development assistance through the Climate Change Development Fund and calls upon Member States to commit substantial financial and technical investment toward the transfer of sustainable energy technologies and clean energy mechanisms to developing States. Canada emphasizes the need for Member States to follow the recommendations of the 2005 Beijing International Renewable Energy Conference to strengthen domestic policy frameworks to promote clean energy technologies. Canada views dissemination of technology information called for in the 2007 Group of Eight Declaration on Growth and Responsibility in the World Economy as a vital step in energy diversification from conventional energy generation. Canada calls upon Member States to integrate clean electricity from renewable sources into their domestic energy sector by employing investment campaigns similar to the Canadian $1.48 billion initiative ecoENERGY for Renewable Power. Canada encourages states to develop domestic policies of energy efficiency, utilizing regulatory and financing frameworks to accelerate the deployment of clean low-emitting technologies and calls upon Member States to provide knowledge-based advisory services for expanding access to energy in order to fulfill their commitments to Goal 1 of the Millennium Development Goals (MDGs). Canada urges states to address the concerns of the 2007 Human Development Report by promoting tax incentives, similar to the Capital Cost Allowances and Canadian Renewable and Conservation Expenses, to encourage private sector development of energy conservation and renewable energy projects. As a member of the Renewable Energy and Energy Efficiency Partnership, Canada is committed to accelerating the development of renewable energy projects, information sharing mechanisms, and energy efficient systems through the voluntary carbon offset system. We are dedicated to leading international efforts toward the development and sharing of best practices on clean energy technologies and highlight our release of the Renewable Energy Technologies Screen software for public and private stakeholders developing projects in energy efficiency, cogeneration, and renewable energy. Canada believes the integration of clean energy into state-specific strategies called for in the General Assembly Second Committee's report to the General Assembly Plenary on Sustainable development: promotion of new and renewable sources of energy (A/62/419/Add.9) will strengthen energy diversification, promote the use of cogeneration, and achieve a synergy between promoting alternative energy while allowing for competitiveness in a sustainable economy.

### III. Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Canada views the full implementation of the treatment and prevention targets of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Especially in Africa, as essential to eradicating malaria and assisting African states to achieve Target 8 of Goal 6 of the MDGs by 2015. Canada recommends Member States to cooperate with the World Health Organization to ensure transparency in the collection of statistical information for Indicators 21 and 22 of the MDGs. Canada reaffirms the targets of the Abuja Declaration and Plan of Action stressing regional cooperation in the implementation, monitoring, and management of malaria prevention and treatment initiatives in Africa. To fully implement General Assembly resolution 61/228, Canada believes developed states must balance trade and intellectual property obligations with the humanitarian objective of the Doha Declaration on the TRIPS Agreement and Public Health. We continue to implement Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health into our compulsory licensing framework through the Jean Chrétien Pledge to Africa Act. Canada urges Member States to support compulsory licensing for essential generic medication by including anti-malarial vaccines and initiating domestic provisions to permit export-only compulsory licenses to domestic pharmaceutical manufacturers, similar to Canada's Access to Medicines Regime. Canada calls upon Member States to establish advanced market commitments on the distribution of pneumococcal vaccines to developing States in cooperation with PATH and the

Malaria Vaccine Initiative. Canada emphasizes the need for greater membership in the Roll Back Malaria initiative to strengthen malaria control planning, funding, implementation, and evaluation by promoting increased investment in healthcare systems and greater incorporation of malaria control into all relevant multi-sector activities. Canada continues to implement the Canadian International Development Agency's (CIDA) New Agenda for Action on Health to reduce malaria infection rates among marginalized populations in Africa, increase routine immunizations rates, and reduce infection rates of other neglected infections. Canada will achieve the goal of doubling aid to Africa by 2008-2009 by providing assistance to the Global Fund to Fight Aids, Tuberculosis, and Malaria. We urge Member States to increase donations to intergovernmental organizations and NGOs that support malaria programming in Africa, exemplified by CIDA's contribution of $26 million to the Canadian Red Cross. We continue our efforts to provide accessible and affordable vector control methods to African States through the Red Cross' Malaria Bed Net Campaign and the African Medical Research Foundation Canada by supplying insecticide-treated mosquito nets and Participatory Malaria Prevention and Treatment tool kits.

Dear Delegates,

Welcome to the National Model United Nations•Northwest (NMUN•NW) Conference. As part of the volunteer staff for the Security Council, we are aiming to facilitate, to the best of our abilities, your educational experience at the conference in Portland. Sara Leister, Director, will serve as your dais members. Both are looking forward to making your conference experience a fulfilling one.

The topics for the Security Council:

    I.  The Situation in the Democratic Republic of the Congo
   II.  Children and Armed Conflict

The background guide will serve as an introduction to the topics listed. Accordingly, it is not meant to be used as an all-inclusive analysis for research, but rather the groundwork for your own analysis and research. The references listed for each topic will provide you with the resources you need to start your own research. Each delegation is requested to submit a position paper, which reflects your research on the topics. Please take note of the NMUN policies on the website and in the *Delegate Preparation Guide* regarding plagiarism, codes of conduct/dress code/sexual harassment, awards philosophy/evaluation method, etc. Adherence to these guidelines is mandatory.

If you have any questions regarding your preparation for the committee and the Conference itself, please feel free to contact any of the substantive staff of the Security Council. We wish you all the best in your preparation for the Conference and look forward to seeing you in February!

**Sara Leister**
Director
NMUN•NW Security Council

# Committee History

*"The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression. The range of situations which the Security Council determined as giving rise to threats to the peace includes country-specific situations such as inter- or intra-State conflicts or internal conflicts."[1]*

## Introduction

The *Charter of the United Nations* (1945) established the Security Council in 1945 as one of the original six bodies, or "primary organs" of the United Nations (UN).[2] While all UN bodies strive "to maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international problems and in promoting respect for human rights; and to be a center for harmonizing the actions of the nations," the Security Council alone has the power to enforce resolutions and make decisions that Member States must then implement per the Charter.[3] The first meeting of the Security Council was held on 17 January 1946 in London and has since taken permanent residence at the UN Headquarters in New York.[4] The Council will occasionally convene outside the UN Headquarters as it has held meetings in other cities such as Addis Ababa, Ethiopia in 1972, as well as Panama City, Panama and Geneva, Switzerland, in 1990.[5]

## Mandate and Powers

The Charter grants the Security Council an extensive array of functions and powers. These include maintaining international peace and security, investigating disputes or situations that may lead to international friction and recommending solutions, planning for the establishment of an armament regulation system, and determining the existence of peace threats of aggressive acts and recommending subsequent action.[6] The Security Council can also call on Member States to enforce economic sanctions and other non-forceful measures to prevent or stop aggression, take military actions against aggressors, recommend the admission of new Members, and exercise United Nations trusteeship functions in "strategic areas."[7] Furthermore, the Council recommends Secretary-General appointments to the General Assembly and elects International Court of Justice (ICJ) Judges in conjunction with the General Assembly.[8] All Security Council decisions and resolutions are binding on all Member States.[9]

Per the Charter, the Security Council can establish subsidiary organs as necessary to perform all of its designated functions.[10] Committees or working groups can be mandated to consider anything from

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[1] United Nations Security Council, *Frequently Asked Questions.*
[2] United Nations Security Council, *What is the Security Council.*
[3] United Nations Security Council, *What is the Security Council.*
[4] United Nations Security Council, *What is the Security Council.*
[5] United Nations Security Council, *What is the Security Council.*
[6] United Nations Security Council, *Functions and Powers.*
[7] United Nations Security Council, *Functions and Powers.*
[8] United Nations Security Council, *Functions and Powers.*
[9] United Nations Security Council, *Frequently Asked Questions.*
[10] United Nations Security Council, *Structure.*

procedural matters to substantive issues.[11] These primarily consist of the counter terrorism committee, military staff committee, ad hoc sanctions committee, and procedural standing committee.[12] Peacekeeping operations and political missions are situation-specific subsidiary organs.[13] The Security Council can also establish international courts and tribunals like the International Criminal Tribunal for the former Yugoslavia, though these organs stand independent of all bodies including the Security Council once established.[14] The Council also shares an advisory with the General Assembly; the Peacebuilding Commission (PBC)  is a subsidiary organ that acts as a forum for all international actors working towards a peace process, coordinates resources, and provides advice on post-conflict strategies when appropriate.[15]

The functions of the Security Council often interact with those of the General Assembly (GA). Either the Security Council or a majority of Member States can request the GA convene a special session while matters of peace and security can be referred to the GA for consideration if the Security Council fails to act.[16] Due to this, Council resolutions often conclude with "decides to remain seized of the matter" to indicate the issue is still under consideration therefore is not eligible for GA deliberation under this function.[17] The GA adopts resolutions recommending certain peace and security matters for the consideration of the Council and in turn receives an annual report.[18] As described, the bodies share several functions concerning the International Court of Justice and the Peacebuilding Commission. Beyond the election of judges to the ICJ, the Council acts as recourse to parties of ICJ cases if the other party fails to perform its incumbent obligations; the ICJ in turn can provide advisory opinions on any legal questions as requested by the Council.[19] In addition, the Security Council can also request information and assistance from the Economic Social Council (ECOSOC) and bring matters possibly threatening international peace and security to the attention of the Secretary-General.[20]

The Security Council follows as typical pattern to maintain peace and security when considering a threat to peace and security brought before the body. First, it recommends peaceful agreement; the body can facilitate this outcome by setting principals for this agreement, undertaking investigation or mediation, by dispatching a mission, by appointing special envoys, or by requesting the Secretary-General to utilize his office to encourage agreement by peaceful means.[21] If a dispute escalates, the Council's first priority becomes to end hostilities as soon as possible, typically by issuing a ceasefire or dispatching military observers or peacekeepers to diffuse and stabilize the situation.[22] Certain scenarios call for additional enforcement measures, including "economic sanctions, arms embargoes, financial penalties and restrictions, and travel bans; severance of diplomatic relations; blockade; or even collective military action."[23] The Council strives to minimize the impact of these actions on non-involved sections of the population and economy by focusing its actions on the responsible actors.[24]

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[11] United Nations Security Council, *Structure*.
[12] United Nations Department of Public Information, *The United Nations System*, 2011.
[13] United Nations Security Council, *Structure*.
[14] United Nations Security Council, *Structure*.
[15] United Nations Security Council, *Structure*.
[16] United Nations, *Repertoire of the Practice of the Security Council: Relations with Other United Nations Organs*, 2009.
[17] Koerner, *What is the United Nations Seizing, Anyway?*, 27 February 2003.
[18] United Nations, *Repertoire of the Practice of the Security Council: Relations with Other United Nations Organs*, 2009.
[19] United Nations, *Repertoire of the Practice of the Security Council: Relations with Other United Nations Organs*, 2009.
[20] United Nations, *Repertoire of the Practice of the Security Council: Relations with Other United Nations Organs*, 2009.
[21] United Nations Security Council, *What is the Security Council*.
[22] United Nations Security Council, *What is the Security Council*.
[23] United Nations Security Council, *What is the Security Council*.
[24] United Nations Security Council, *What is the Security Council*.

*Voting and Membership*

The Security Council consists of fifteen Member States, ten of which are elected for two-year terms by the General Assembly.[25] There are in addition five permanent members: China, France, the Russian Federation, the United Kingdom, and the United States of America.[26] In order for the Council to meet whenever the need may arise, each Member State must maintain a representative at the UN Headquarters at all times.[27] Each Council member receives one vote; nine votes are required to pass procedural matters, while all substantive votes, including the adoption of a resolutions require nine votes an the concurrence of the five permanent members.[28] If any of these five members vote against a matter, it acts as a veto and prevents the vote from passing.[29] Both affirmative votes and abstentions are concurring votes.[30]

The international community has increasingly discussed Security Council reform over the past twenty years. While the UN has grown from 51 to 193 Member States, the only significant membership change in the Security Council happened in 1965 when Members approved an expansion from 11 to 15 seats.[31] Member States have officially debated reform of Security Council membership and distribution of permanent member statuses since 1992 when the GA established the "Open-Ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council" to consider the issue from 1993 to 2009.[32] The 2005 World Summit reiterated the need to expand the Security Council to be more representative and inclusive and posed two models of expanding the current 15 seats to a new 24-seat body.[33] The argument against the current membership composition is it does not represent modern geopolitical realities; Europe is overrepresented, Asia underrepresented, and neither Africa nor Latin America holds a permanent seat.[34]

*Security Council Reform*

Security Council reform has been discussed within intergovernmental negotiations since 2005.[35] Reforming the Security Council is difficult because it involves amending the United Nations Charter, which requires a two-thirds vote in the General Assembly and ratification by two thirds of Member States.[36] Member States widely agree that the Security Council membership and permanent member status should be reformed to better reflect the modern world, but they have not been able to come to consensus on how to do so.[37] Any reform initiative requires wide support in order to receive the votes and ratifications necessary to achieve a Charter amendment.[38] Membership reform suggestions include

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[25] United Nations, *Charter of the United Nations*, 1945.
[26] United Nations, *Charter of the United Nations*, 1945.
[27] United Nations Security Council, *What is the Security Council.*
[28] United Nations, *Charter of the United Nations*, 1945.
[29] United Nations, *Charter of the United Nations*, 1945.
[30] United Nations, *Charter of the United Nations*, 1945.
[31] Weiss, *The Illusion of UN Security Council Reform*, 2003, p. 149.
[32] United Nations Security Council, *Frequently Asked Questions.*
[33] United Nations, *The 2005 World Summit: An Overview*, 2005, p. 1.
[34] Global Policy Forum, *Background on Security Council Reform*, 2013.
[35] United Nations Security Council, *Frequently Asked Questions.*
[36] United Nations Security Council, *Frequently Asked Questions.*
[37] United Nations Security Council, *Frequently Asked Questions.*
[38] United Nations Security Council, *Frequently Asked Questions.*

increasing the number of permanent and/or non-permanent seats with some groups suggesting the expansion of the veto and others the creation of semi-permanent seats.[39]

Reform proposals also address transparency and working methods as well as membership and the veto.[40] Many of the recent reforms have not required a UN Charter amendment and have not been as controversial as membership reform.[41] "Cluster 2" reforms include holding more public meetings, consulting more frequently with external actors such as NGOs, and extending the opportunity for non-elected UN Member States to address the Security Council.[42] The Council has also made efforts to strengthen its relations with states that contribute peacekeeping troops through regular meetings and new sanctions-monitoring mechanisms work to bolster sanction effectiveness.[43] The Secretariat has also worked to increase transparency and accessibility by launching a website tracking discussions and decisions of the Security Council.[44]

*Conclusion*

The United Nations Security Council represents both the power and promise of the United Nations', with the responsibility for not only responding to threats to international peace and security, but preventing conflicts from occurring in the first place. Delegates have an opportunity to deliberate on some of the most urgent conflict situations in the world and develop new norms for the way in which the international community conceptualizes peace and security.

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[39] Swart, *Reform of the Security Council: September 2007 – May 2013, 2013*, p. 41-3; Platform for Change, *The Group of Four*, 2013; Platform for Change, *The L69 Group*, 2013; Platform for Change, *Uniting for Consensus*, 2013.
[40] Global Policy Forum, *Background on Security Council Reform*, 2013.
[41] Global Policy Forum, *Transparency and Working Methods*, 2013.
[42] Global Policy Forum, *Transparency and Working Methods*, 2013.
[43] Global Policy Forum, *Transparency and Working Methods*, 2013.
[44] Global Policy Forum, *Transparency and Working Methods*, 2013.

# Annotated Bibliography

Global Policy Forum. (2013). *Background on Security Council Reform*. Retrieved July 18, 2013 from: http://www.globalpolicy.org/security-council/security-council-reform/49885.html?itemid=1321

> *The Global Policy Forum provides a succinct overview of the Security Council reform debate in the past twenty years. It identifies the central issues reform must deal with and identifies the major groups within the debate. It furthermore outlines several specific groups and their proposals for reform. Perhaps most helpfully, this page annotates and links several documents going into further reform proposals. This is a good resource for delegates examining options for reform and to see if their country has been involved in any specific plan.*

Swart, L. (2013). *Reform of the Security Council: September 2007 – May 2013*. Center for UN Reform Education. Retrieved July 18, 2013 from: http://www.centerforunreform.org//system/files/1b+June+2013+for+website.pdf

> *This article reviews the progress made towards Security Council reform in the past six years. It identifies the main proposal blocs and the five key issues to be considered in the reform. It explores the role of the P5, the Chair of the Intergovernmental Negotiations and the Presidents of the General Assembly and reviews proposed compromises. This is a great resource that provides an exhaustive and comprehensive explanation of the current status of Security Council reform and the relevant actors. Much of this analysis is reflected in the background guide and will help delegates form an understanding of the current geopolitical pressures surrounding the Council.*

United Nations, Department of Public Information. (2011). *The Security Council: Working Methods Handbook*. Retrieved July 18, 2013 from: http://www.un.org/en/sc/about/methods/

> *This Handbook provides a wealth of information concerning the operation of the Security Council. It covers a variety of functions, including documentation, program of work, resolutions and presidential statements, subsidiary bodies, matters of which the council is seized, communication with the Secretariat, and Security Council Missions. It provides annexed documents pertaining to Security Council meetings and a glossary of relevant terms. Rich in information and easy to read, this is an excellent resource to answer questions concerning the working methods of the Council.*

United Nations, Security Council. (n.d.). *Frequently Asked Questions*. Retrieved July 15, 2013 from: http://www.un.org/en/sc/about/faq.shtml

> *Delegates new to the Security Council will find a wealth of introductory information on this Frequently Asked Questions page, including membership data, functions and powers of the body, and the logistics of how the Security Council runs. It provides substantive information as well concerning actions of the Security Council and the Repertoire. This is an excellent place for delegates to begin if they have basic questions about the Security Council and need an introductory overview.*

United Nations, Security Council. (n.d.). *What is the Security Council* [Webpage]? Retrieved July 15, 2013 from: http://www.un.org/en/sc/about/

> *This website provides an overview of what the Security Council is and what role it plays. There is a summary of its mandate per the UN Charter, the synopsis of the Council's*

*responsibilities and abilities pertaining to maintaining peace and security, and a brief history of its meeting and membership structure. This is a useful place for delegates to begin their research if they are unfamiliar with the work of the Security Council and provides and excellent overview of the work of the Council within the United Nations and international community.*

# I. The Situation in the Democratic Republic of the Congo

*Introduction*

The Democratic Republic of the Congo (DRC) has a long history of instability and armed conflict. In the wake of the 1994 Rwanda genocide, 1.2 million Rwandan Hutus fled to the Kivu region, which had been traditionally Tutsi majority, seeding ethnic conflict that persists today.[45] Two years later, Laurent Desire Kabila lead a rebellion, which succeeded in deposing Mobutu Sese Seko, and renamed the country as the Democratic Republic of the Congo instead of Zaire.[46] Rebellion against the Kabila government began in 1998 in the Kivu region; as conflict escalated, Rwanda and Uganda supported the rebels against the Kabila government while Angola, Chad, Namibia and Zimbabwe supported Kabila.[47] The Security Council adopted resolution 1234 (1999) calling for a ceasefire and in July the same year, Angola, Namibia, Rwanda, Uganda and Zimbabwe signed the *Lusaka Ceasefire Agreement*.[48] The United Nations (UN) helped facilitate the ceasefire and move the DRC to its first free and fair election in 46 years, which were held on July 30, 2006.[49]

Significant progress has been made towards peace and stabilization since 1999, but the eastern area sill experiences reoccurring conflict, humanitarian crises, and human rights violations, as seen currently in North Kivu in particular.[50] Contributing factors include armed groups taking advantage of the power and security vacuum, illegal resource exploitation, neighbor country interference, pervasive impunity, intercommunal feuds, and a weak national army and policy capacity concerning effective protections and ability to ensure of law and order.[51] Several neighboring countries recently joined the DRC in a regional effort to address the ongoing challenges in the DRC by signing the *Peace, Security and Cooperation Framework* on 24 February 2013, a document that outlines a path to ending violence and stabilizing the DRC and surrounding region.[52]

*International Framework*

Several intergovernmental organizations form the current response framework to the situation in DRC. The African Union, the African Union Peace and Security Council, and African Union Regional Task Force work closely with DRC, its neighbors and related actors to stabilize the region.[53] Both the International Conference on the Great Lakes Region (ICGLR) and the Southern African Development Community (SADC) have contributed to peace and stability efforts in DRC.[54] The International Criminal Court plays an important role by holding accountable perpetrators of war crimes and crimes against humanity, as deterring impunity is critical to achieving regional stability.[55]

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[45] United Nations, *MONUSCO Background*.
[46] United Nations, *MONUSCO Background*.
[47] United Nations, *MONUSCO Background*.
[48] United Nations, *MONUSCO Background*.
[49] United Nations, *MONUSCO Background*.
[50] United Nations, *MONUSCO Background*.
[51] United Nations, *MONUSCO Background*.
[52] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[53] United Nations Security Council, *Report of the Secretary-General on MUNUSCO*, 15 February 2013.
[54] United Nations Security Council, *Report of the Secretary-General on MUNUSCO*, 15 February 2013.
[55] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.

On 24 February 2013, the DRC and several of its neighbors signed the *Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region.*[56] Signed by eleven states in the DRC region, it outlines a plan to hopefully move the DRC past the recurring conflict cycles by address the roots causes and bring stability to the country.[57] The Framework outlines national, regional, and international actions towards ending violence in the region, calls for signatories to develop benchmarks and follow-up measures, and calls for a regional oversight consisting of the eleven signatories and leaders of specific international organizations.[58] The Chairpersons of the African Union Commission, ICGLR, and SADC as well as the Secretary-General of the UN provide this oversight.[59] The UN also works with these international organizations to address specific DRC challenges; for example, the UN Special Representative for Central Africa coordinates UN cooperation with the African Union's (AU) Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), a foreign-armed force in DRC which fuels most of the ongoing armed conflict in the Kivu region.[60]

Several international documents also provide the foundation for protection and promotion of fundamental human rights, including for protecting the rights of civilians within conflict zones in the DRC. These instruments include the *Universal Declaration of Human Rights* (UDHR) (1948), *International Covenant on Civil and Political Rights* (ICCPR) (1966), and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1976).[61] The *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* (1974), the *Beijing Platform for Action* (1995), and *Convention on the Elimination of All Forms of Discrimination against Women* (1979) address women in conflict areas, reinforcing Security Council resolution 1325 (2000) and subsequent resolutions on "women, peace and security."[62]

### *Role of the United Nations System*

The UN system provides a variety of services in DRC. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) operates its largest program in the DRC, a country marked by widespread poverty and abuses of civilians by armed groups.[63] Declining funding and the violent targeting of humanitarian workers make it difficult to provide aid to civilians in the unstable conflict area.[64] Despite these challenges, UN organizations continue to do so. The World Food Programme (WFP) provides support to the 70% of Congolese facing food insecurity while the United Nations Office of the High Commissioner for Human Rights (OHCHR) supports the UN Joint Human Rights Office (JHRO) to strengthen human rights in DRC.[65] The JHRO's thematic priorities include combating impunity and security transitional justice, access to justice and reparations for sexual violence, and human rights in the protection of civilians in armed conflict.[66]

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[56] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[57] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[58] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[59] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[60] African Union Peace and Security Council, *Report of the Chairperson on the Implementation of the RCI-LRA*, 17 June 2013.
[61] United Nations General Assembly, *Convention on the Rights of the Child*, 1990.
[62] UN-Women, *Peace and Security*, 2013; United Nations Security Council, *Resolution 1325 (2000) [Women and peace and security]*, 2000.
[63] United Nations Office for the Coordination of Humanitarian Affairs, *About OCHA DRC*.
[64] United Nations Office for the Coordination of Humanitarian Affairs, *About OCHA DRC*.
[65] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013; World Food Programme, *Congo, Democratic Republic Of: Overview*.
[66] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.

The Security Council plays a big role in the DRC by mandating the presence of peacekeeping forces. Security Council resolution 1279 (1999) of 30 November 1999 established the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which helped facilitate the Lusaka Ceasefire and move the DRC to hold its first free and fair election in 46 years on July 30, 2006.[67] This election process was one of the most complicated the UN has ever monitored due to a run-off and a legal challenge.[68] MONUC transitioned into the United Nations Organization Stabilization Mission in DRC (MONUSCO) pursuant to Security Council resolution 1925 (2010) of 1 July 2010.[69] MONUSCO's mandate is to protect civilians, humanitarian workers, and human rights defenders while supporting the government's peace consolidation and stabilization efforts.[70] Security Council resolution 2098 of 28 March 2013 renewed MONUSCO's mandate to protect civilians, neutralize armed groups conducted under the Intervention Brigade offensive, monitor the implementation of the arms embargo, provide support for the national and international judicial process, and contribute to the implementation of the PCS Framework.[71]

Other Security Council resolutions on the Democratic Republic of Congo include resolutions 1991 (2011), 2053 (2012), 2076 (2012), 2078 (2012) and 2086 (2013).[72] Several other Security Council resolutions also apply to the conflict and human rights violations in the DRC, such as resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010) on women, peace and security.[73] Along with Resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict and resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict, these documents define the rights of women, civilians, and children, condemn those who violate those rights, and outline how the international community should address the situation.[74]

### Key Challenges

*Building Army and Police Capacity to Ensure Law and Order*

The Congolese people continue to suffer as a result of the continued presence of insecurity in DRC. While the country receives billions each year in official development assistance and nearly half the DRC's annual budget comes from external funding, its people still continue face abysmal living conditions.[75] Receiving the lowest position of United Nations Development Programme (UNDP) development rankings, the DRC will not meet any of the Millennium Development Goals (MDGs) with the national per capita income being less than 50 cents per day.[76] Life in the DRC cannot improve until the government is able to ensure law and order to protect its people and control its territory; an effective security sector predicates solving displacement problems, gender-based violence, economic growth, or conflict mineral trade.[77]

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[67] United Nations, *MONUSCO Background.*
[68] United Nations, *MONUSCO Background.*
[69] United Nations, *MONUSCO Background.*
[70] United Nations, *MONUSCO Background.*
[71] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[72] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[73] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[74] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[75] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[76] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[77] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.

Aid coming into the country has not served to improve the living conditions and general lives of citizens in the DRC. [78] Instead, the national army, police and other security forces instead perpetrate regular human rights violations, "including summary executions, mass-rapes, arbitrary and illegal arrests and detentions, torture and cruel, inhuman and degrading treatments, extortion, forced labor and looting."[79] National and foreign-armed groups also violate human rights via arbitrary executions, civilian abductions, looting, and several forms of sexual violence.[80] Security sector reform (SSR), which encompasses the reform of all security institutions including the police, military and the judiciary, must address these violations as well as other challenges, such as endemic police corruption and inaccessible judicial protection if the state's security forces are to become protectors with the capacity to end criminal impunity.[81]

SSR is one of President Kabila's highest priorities, according to recent statements. In order to address this priority, actions taken include supporting a new Rapid Reaction Force, comprehensive Disarmament, Demobilization and Reintegration (DDR) strategies and Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) action plans, and concrete roadmaps for the security and justice sectors.[82] However, despite stating their intention to fully address SSR, the government to date has exhibited a lack of political will to actually implement the reforms identified.[83] International partners have lacked leadership or policy cohesion concerning this matter and provided minimal funding: barely one percent of official development aid was applied to security system management and reform efforts from 2006 to 2010.[84] The Security Council can make a significant difference for SSR efforts in DRC. The Council can draw on its existing cooperation with the African Union, and partner with the AU to hold high-level forums which strengthen political will on the issue, mandate MONUSCO to assist with all aspects of SSR, and allocate more resources to the MONUSCO SSR unit in order to fulfill its mandated operation as an SSR information clearinghouse.[85] The sanctions committee can identify individuals impeding the success of SSR and request further information from experts, thus increasing transparency. Finally, it can create clear SSR guidelines and benchmarks upon which the international community can predicate continued financial aid while ensuring sufficient in-country resources to monitor the required progress.[86]

*Addressing the Growing Number of IDPs and Refugees*

Increased violence in 2012 has led to a dramatic escalation of internally displaced persons (IDPs), especially in the eastern provinces.[87] UNDP rated DRC at the bottom in its 2012 Human Development Index; 6.3 million people currently require humanitarian assistance in the region.[88] Due to chronic insecurity and the constant need to flee, civilians have been unable to harvest crops as usual; compounded by rising food prices, leading to about 70% of Congolese face food insecurity.[89] In North Kivu alone, over 900,000 displaced people took shelter with host families or in camps; only one-ninth of this group were in camps supported by the UN Office of the Higher Commissioner for Refugees, while the rest

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[78] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[79] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[80] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[81] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[82] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[83] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[84] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[85] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[86] Eastern Congo Initiative, *The DRC: Taking a Stand on Security Sector Reform*, 2012.
[87] World Food Programme, *Congo, Democratic Republic Of: Overview*, n.d.
[88] World Food Programme, *Congo, Democratic Republic Of: Overview*, n.d.
[89] World Food Programme, *Congo, Democratic Republic Of: Overview*, n.d.

remain in "spontaneous settlements" and largely out of reach of international scrutiny or humanitarian aid.[90] Access poses a critical barrier preventing aid from reaching many IDPs and refugees, especially in geographically remote areas like Masisi in North Kivu where many families go without basic shelter materials or food aid for over six months at a time.[91] UNHCR and other non-governmental organizations (NGOs) are underfunded and understaffed, preventing them from supporting refugee camps as necessary and from assessing and communicating IDP needs to international donors.[92] For example, UNHCR has less than half the number of camp coordination staff it had in 2008 while the number of IDPs has more than doubled.[93]

*Sexual and Gender-Based Violence*

Women and girls are increasingly vulnerable to sexual and gender-based violence (SGBV) in IDPs camps and settlements where there are insufficient resources available to meet the minimum prevention standards.[94] Displaced women and girls face the risk of rape, assault, and exploitation to ensure their families survive in resource-scarce camps and settlements.[95] Women report approximately 50 rapes per month in the camps surrounding Goma alone, in part due to women's need to collect firewood several times a week as cooking fuel.[96] Services and protections deteriorate in remote regions, where rape survivors can only access weekly mobile clinics and no psychosocial services are available.[97] Addressing the funding gap can alleviate this vulnerability; currently less than one percent of the DRC Pooled Fund is allocated to SGBV prevention and programming.[98]

Rape and other types of sexual violence are unfortunate characteristics of the conflict in the DRC. In November and December of 2012 alone, MONUSCO recorded 333 cases of armed groups or national security forces committing sexual violence against women and girls[99] The UN's *Comprehensive Strategy on Combating Sexual Violence in DRC* outlines a framework and common platform for action that supports UN and DRC government efforts to combat sexual violence, streamlines coordination mechanisms, provides strategic and technical advice, ensures broader agenda include sexual violence, and unsure ongoing processes and initiatives complement the Comprehensive Strategy.[100] The Joint Human Rights Office within OHCHR provides an example of strategy execution on the ground; its "Nation Wide Access to Justice for Victims of Sexual Violence Programme," fights impunity by improving legal access and justice to victims, technically and logistically supports rape trials, advocates for reparation payments when the state is found guilty, and raise awareness.[101]

While ground operations help combat sexual violence, many obstacles remain to be addressed before the Comprehensive Strategy can be fully executed. The DRC government must fully commit its political will and, in conjunction with the UN system, agree upon a comprehensive strategy for combating impunity, instigating judicial reform, and reforming the security sector as a whole.[102] UN agencies can facilitate

[90] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[91] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[92] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[93] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[94] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[95] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[96] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[97] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[98] Refugees International, *Field Report: DR Congo*, 26 March 2013.
[99] United Nations Security Council, *Report of the Secretary-General on MONUSCO*, 15 February 2013.
[100] United Nations *Comprehensive Strategy on Combating Sexual Violence in DRC*, 2009.
[101] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[102] United Nations *Comprehensive Strategy on Combating Sexual Violence in DRC*, 2009.

monitoring and evaluations mechanisms to assess how funding for combating sexual violence should be effectively spent on the ground; current efforts are fragmented and non-concentrated, resulting in inefficient use of donor aid.[103] Finally, the UN can conduct a comprehensive analysis of sexual violence in DRC that explores the different timing, motivations, and places of sexual violence committed by the military and civilians.[104]

*Case Study: North Kivu*

The region of North Kivu has a long history of violence. More than two dozen armed groups have emerged from this area in the past twenty years as political instability, state corruption, and weak rule of law has aggravated rifts between North Kivu communities, indigenous groups and the ethnic Hutu and Tutsis who immigrated here in the post-colonial period.[105] Weak rule of law has also encouraged elite interests and encouraged the growth of armed groups.[106] The most recent chain of violent events began in November 2012 when the March 23 Movement (M23) rebel group seized the city of Goma.[107] Deserters of the Congolese army in the wake of a mutiny, M23 is named after the 23 March 2009 agreement to integrated an older militia with the Congolese army.[108] Conflict escalated in August 2013 when MONUSCO Peacekeeping forces became involved.[109] An intervention brigade supported Congolese troops and placed the government in a position to begin peace talks with the M23 rebels.[110] Other armed groups in North Kivu include the Forces Démocratiques de Libération du Rwanda (FDLR) who also attack Rwanda across the border, Alliance des Patriotes pour un Congo Libre et Souverain (APCLS), the Allied Democratic Forces (ADF) in North Kivu, the Mayi-Mayi Gedeon and Mayi-Mayi Kata-katanga of the Katanga Province, and the Lord's Resistance Army (LRA) in the Orientale Province[111]

*Humanitarian Crisis and Human Rights Violations*

The M23 and other armed groups, both Congolese and foreign, continue to destabilize North Kivu and contribute to the growing security and humanitarian crises of the region.[112] Over 700,000 people were displaced when M23 seized Goma while numbers of internally displaced persons (IDPs) and refugees have only continued to rise in the aftermath.[113] The Congolese army created a security vacuum around Goma when they retreated after the rebel group M23 seized the capital, thus spurring widespread violence from all rebel groups in the region.[114] Sexual violence against women, children, and men has significantly increased: while the UNHCR recorded 108 cases of rape during January – July 2012, it has recorded 619 cases in the same months during 2013.[115] The crisis has drawn over 500 national and international humanitarian and development organizations. Nearly 100 international aid groups now have logistical headquarters in Goma.[116] Critics have voiced concern about the negative effects of the growing aid

[103] United Nations *Comprehensive Strategy on Combating Sexual Violence in DRC*, 2009.
[104] United Nations, *Comprehensive Strategy on Combating Sexual Violence in DRC*, 2009.
[105] Stearns, *North Kivu: Background to Conflict in North Kivu Province of Eastern Congo*, 2012, p. 7.
[106] Stearns, *North Kivu: Background to Conflict in North Kivu Province of Eastern Congo*, 2012, p. 7.
[107] BBC, *Q&A, DR Congo's M23 Rebels*, 2012 November 23.
[108] BBC, *Q&A, DR Congo's M23 Rebels*, 2012 November 23.
[109] Security Council Report. *October 2013 Monthly Forecast*, 30 September 2013.
[110] Jones, *Congo Rules Out Amnesty for Top M23 Rebels*, 19 September 2013.
[111] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[112] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[113] Refugees International, *DR Congo*, 2013; United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[114] Refugees International, *DR Congo*, 2013.
[115] United Nations Refugee Agency, *Sexual Violence on the Rise in DRC's North Kivu*, 30 July 2013.
[116] Buscher and Vlassenroot, *The Humanitarian Industry and Urban Change in Goma*, 2013.

economy in North Kivu, its ability to shape the social and economic layout of Goma, and its peripheral effect on conflict.[117] For example, an influx of comparatively well-paid aid workers has caused growing wealth disparity as costs of living to rise while Goma citizens have not increase in wealth.[118] Aid agencies have also inhibited development of regional government capacity as they have filled the state void in key health and development sectors.[119]

While the growing aid industry may have worrisome consequences, rebel militia groups continue to aggravate the humanitarian situation and require the presence of aid and development groups. The Security Council has found M23 as well as other armed groups to continuously commit serious violations of international humanitarian law and to abuse human rights.[120] The Secretary-General's report S/2013/96 condemned all external support provided to M23, including equipment and material supplies, troop reinforcements, or tactical advice.[121] Foreign and national armed groups, namely the FDLR, Mai-Mai-Cheka, and LRA are also guilty perpetrators of human rights abuses against civilians, including "arbitrary executions, abductions of civilians, widespread looting, gang-rape, and other forms of sexual violence with full impunity." [122] Despite recent widespread commitment to combat impunity for serious human rights violations, the OHCHR reports very little actual progress.[123]

*The Roots of Reoccurring Conflict in Eastern DRC*

Much progress has been made since 1999, but the eastern area still experiences reoccurring conflict, humanitarian crises, human rights violations[124] The Security Council noted in Resolution 2098 that eastern DRC suffers from reoccurring cycles of conflict and that violence by both Congolese and foreign-armed groups persists; the Council emphasized the need of addressing the roots of this conflict to stop the cycles from reoccurring.[125] Conflicts in the Great Lakes region are exacerbated by small arms proliferation and trafficking, which is funded by the continuous and illicit exploitation of the region's natural resources.[126] DRC is rich in copper, gold, diamonds, zinc and cobalt, which has spurred violence from the colonial period to widespread war from 1994 to 2003 to the recent violence centered around M23.[127] Weak rule of law enables resource exploitation and has given rise to elites with incentives to sponsor their own militias.[128]

The 2013 PSC Framework lays out a plan of action for addressing the roots of violence in the region. Domestic actions include security sector reform, consolidation of the State Authority, make progress towards power decentralization, improve economic development, structurally reform public institutions, and further reconciliation of conflict parties.[129] Regional actions include an effective no-tolerance and no-support policy for armed groups, strengthening of regional economic integration and judicial cooperation, and refusing to harbor any person accused of crimes against humanities or war crimes.[130] The

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[117] IRIN, *Goma's Aid Economy a Blessing and a Curse*, 11 September 2013.
[118] IRIN, *Goma's Aid Economy a Blessing and a Curse*, 11 September 2013.
[119] IRIN, *Congo-Kinshasa: Where is the State in North Kivu?* 9 August 2013.
[120] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[121] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[122] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[123] United Nations Office of the High Commissioner for Human Rights, *OHCHR in DDRC (2010-2012)*, 2013.
[124] United Nations, *MONUSCO Background*.
[125] United Nations Security Council, *Resolution 2098 (2013) [Democratic Republic of the Congo]*, 18 March 2013.
[126] United Nations Security Council, *Resolution 1925 (2010) [Democratic Republic of the Congo]*, 28 May 2010.
[127] BBC News, *Q & A: DR Congo Conflict*
[128] Stearns, *North Kivu: Background to Conflict in North Kivu Province of Eastern Congo*, 2012, p. 7.
[129] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[130] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.

international community is called to renew its commitment to the region and support these actions through MONUSCO and a newly appointed Special Envoy of the Secretary-General for the Great Lakes Region, who is mandated to do this by linking security with regional economic integration and women's empowerment as bringing civil society into the peace process will help build accountability in the region.[131]

*Conclusion*

The situation in DRC calls for action and participation from the UN Security Council. MONUSCO maintains a very active presence and played a critical role in the Congolese victory against M23 in August 2013, thought the agency's mandate is set to expire 31 March 2014.[132] The Security Council must consider how best to support peace and security in DRC and especially in the North Kivu region. Weak law and order continue to allow for non-state militia violence. How can the Security Council support the government's agenda to reform and strengthen the security sector? The humanitarian crisis across the state and centered in eastern DRC continues to escalate as well as numbers of IDPs and refugees grow. Aid groups themselves may be contributing to the problem as the concentration of headquarters in Goma increases and impacts the economic and social profile of the city. The Security Council and the international community as a whole must also continue to examine the roots of conflict in eastern DRC if it wants to halt the reoccurring cycle of violence and help bring peace and security to DRC.

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[131] United Nations Special Envoy for the Great Lakes Region of Africa, *A Framework of Hope*, 2013.
[132] Security Council Report. *October 2013 Monthly Forecast*, 30 September 2013.

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> *This report covers the previous year's activities of the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), including new operationalization of the initiative and operations of its components. The report specifically addresses interaction between the African Union Special Envoy for the LRA issue and the United Nations. Also addressed are the advances in international support to the RCI-LRA, new operations against the LRA and the Chairperson's observations for moving forward. This is a good source for learning what the African community is currently doing to address the LRA.*

Eastern Congo Initiative et. al. (2012). *The Democratic Republic of Congo: Taking a Stand on Security Sector Reform.* Retrieved July 2, 2013, from: http://easterncongo.s3.amazonaws.com/79/02/5/114/DRC_SSR-Report_20123.pdf

> *Published by a wide variety of NGOs, including eight international and five Congolese organizations, this report outlines the current opportunity for the international community to partner with the DRC government for SSR. It reviews the current status of the DRC security sector and the subsequent impact on a variety of peace and security concerns within the country, including gender violence and illegal resource exploitation. The report provides a series of recommendations for how to move forward with SSR, including recommendations for the Congolese Government, the DRC's international partner, the Security Council and MONUSCO, and a variety of other actors. This is an excellent comprehensive source for delegates research the needs of the security sector in the DRC.*

Human Rights Watch. (2012). World Report 2013: *Democratic Republic of Congo*. Retrieved July 2, 2013 from http://www.hrw.org/world-report/2013/country-chapters/democratic-republic-congo

> *Published annually by the Human Rights Watch, the 2013 World Report provides an overview of the current status of human rights in the DRC. Utilizing 2011 data, it reviews recent major events that impact human rights, including abuses during national elections in late 2011, M23 rebel war crimes, civilian attaches by other armed groups, and abuses by the Lord's Resistance Army. The report next reviews justice and accountability and key international actors concerning human rights in the region. While not the most up-to-date information due to the retrospective nature of the analysis, the Report provides in-depth perspective and data on the human rights situation in the DRC.*

Refugees International. (2013). *DR Congo: Outdated Approach, Misplaced Priorities*. Retrieved July 3, 2013 from http://www.refugeesinternational.org/sites/default/files/032613_DR_Congo_Outdated%20letterhead.pdf

> *This field report provides excellent insight into two of the subtopics discussed in this guide: IDPs and SGBV. It analyses the situation in the North Kivu region of the DRC, identifies the critical problems and programmatic weaknesses of aid agencies at work, and makes specific recommendations as to how to close the gap between needs and provided services. Brief and informative, this report is an excellent resource for delegates looking to find data gathered from independent groups on the ground of North Kivu.*

Sterns, J. (2012). *North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo*. Rift Valley Institute: Usalama Project. Retrieved September 22, 2013 from http://www.refworld.org/pdfid/51d3d5f04.pdf

> *A recent publication, this book provides an analysis of the roots of conflict in the North Kivu region. Beginning with colonial history, the author examines the development of social cleavages in the region as well as the factors allowing escalating violence: weak rule of law, weak state capacity, and growing elite interests. He further discusses the actions of the DRC transitional government to improve or worsen the matter from 2003 to 2012. Relatively up-to-date and rich in information, this source provides an excellent analysis of the conflict centered in the North Kivu region of DRC.*

United Nations. (n.d.) *MONUSCO Background*. Retrieved June 30, 2013 from http://www.un.org/en/peacekeeping/missions/monusco/background.shtml

> *The United Nations Peacekeeping mission history for the United Nations Organization Stabilization Mission in the DRC provides a succinct overview of the UN's involvement in the DRC since the 1990s. This is an excellent place to start for delegates who are unfamiliar with the situation in the DRC or its history. Tracing the conflict from the post-Rwandan genocide, this article covers the security challenges triggering the creation of the first peacekeeping mission, this history of that mission, how it was transformed into the current stabilization mission, and the recent security challenges in the region. It provides an overview of topical challenges and links to supporting documentation.*

United Nations, Office of the High Commissioner for Human Rights. (n.d.). *OHCHR in Democratic Republic of the Congo (2012 – 2012)*. Retrieved July 20, 2013, from: http://www.ohchr.org/EN/Countries/AfricaRegion/Pages/ZRSummary1012.aspx

> *While reviewing the actions of the OHCHR in DRC, this website provides a comprehensive overview of human rights violations in the region from 2010-2012, including those committed by both national forced and armed groups. It reviews the actions of the JHRO to address these violations and summarizes its thematic priorities. This is a good place for delegates to see examples of human rights violation in DRC and, more importantly, examples of what the UN system can and does do in response.*

United Nations Office of the Special Envoy of the Secretary-General for the Great Lakes Region of Africa. (2013). *A Framework of Hope: The Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region*. Retrieved July 21, 2013 from: http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/SESG%20Great%20Lakes%20Framework%20of%20Hope.pdf

> *This is a valuable and useful briefing. It contains a chart summarizing the national, regional, and international action plans laid out in the 2013 Peace, Security and Cooperation Framework for the DRC. It identifies the tools the international community has been requested to establish in order to support this process, including a regional oversight mechanism and a newly appointed Special Envoy of the Secretary-General for the Great Lakes Region. It provides an overview of how the Special Envoy will contribute to the process and address the roots of conflict in the region. This valuable source provides a succinct and very useful summary of identified needs and future Security Council-related actions and should be read by all delegates and they contemplate what proposals to bring to committee.*

United Nations, Security Council, 6943rd meeting. (2013, March 28). *Resolution 2098 (2013) [Democratic Republic of Congo]*. Retrieved June 30, 2013 from www.undocs.org/S/RES/2098(2013)

*Resolution 2098 (2013) is an excellent resource. The first half notes the major documents forming the international framework and the resolutions showing the UN's involvement. It identifies specific challenges in the DRC and commends successful actions the international community has so far taken. The second half of the resolution describes how the UN and MONUSCO will operationalize its mission in the DRC and what it is mandated to do in support of stabilization, peace and security. It also identifies future challenges. This is an excellent resource for delegates once they have a basic understanding of the situation in the DRC because it provides a full overview of how the UN is involved in the matter.*

United Nations Senior Advisor and Coordinator on Sexual Violence in the DRC. (2009). *Comprehensive Strategy on Combating Sexual Violence in DRC: Executive Summary*. Retrieved July 2, 2013 from http://monusco.unmissions.org/Portals/MONUC/ACTIVITIES/Sexual%20Violence/KeyDocuments/Comprehensive%20Strategy%20Executive%20Summary.pdf

*Finalized in April 2009, the Comprehensive Strategy on Combating Sexual Violence in the DRC outlines a UN system-wide framework and action platform for MONUSCO all UN agencies combating sexual violence in the DRC under Security Council resolutions. The summary outlines the following strategic components: combating impunity for cases of sexual violence, prevention and protection of sexual violence, security sector reform and sexual violence, and multi-sectoral response for survivors of sexual violence. The summary describes how these components are connected and what obstacles stand against the strategy's implementation. Finally, it summarizes specific objectives and steps to achieve these objectives in conjunction with each strategic component. This is a good source of summarized information for sexual violence in the DRC.*

## II. Children and Armed Conflict

*Introduction*

In times of armed conflict, civilians, including children, are often impacted disproportionately. Children suffer in conditions where armed conflict is occurring. A 2006 report of the United Nations Children's Fund (UNICEF found that two million children had died in the previous 10 years have died in armed conflicts around the world, six million were permanently injured or disabled, more than 14 million were displaced, and over a million orphaned and separated from their parents.[133] More than 250,000 children in this same period were forced to serve as members of government, rebel, or militia armed forces.[134] Children are either forcefully recruited or driven to join by poverty or discrimination; once recruited they are subjected to combat, used for sexual purposes, or used as spies, messengers, servants, or landmine operators.[135] Deteriorating socioeconomic conditions during times of conflict also impact children by closing down schools and sometimes leaving few alternatives to working for armed forces.[136]

The topic "Children and armed conflict" has increasingly come to international focus since the 1990s. and has been on the agenda of the Security Council since 1999. The United Nations (UN) Security Council identifies the issue as a threat to peace and security and, therefore, claims the matter under its mandate to maintain international peace and security.[137] The Council has defined six grave violations against children in armed conflict that commonly serve to frame the international discourse on the subject.[138] More recently the Secretary-General has drawn attention to the emerging challenges as the nature of conflict and combat change.[139] The Security Council faces several new difficulties as it address these challenges, including how to more effectively use the tools it has previously created and how to become more flexible and responsive to new crises. [140]

*International Framework*

The international community has developed a range of instruments in order to protect children in situations of armed conflict. The *Universal Declaration of Human Rights* (UDHR) (1948), *International Covenant on Civil and Political Rights* (ICCPR) (1966), and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1976) all address the rights and freedoms of children.[141] Several international documents deal specifically with children's rights, including the *Geneva Declaration of the Rights of the Child* (1924), *Declaration of the Rights of the Child* (1959), and the *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* (1974).[142] Documents like *The United Nations Standard Minimum Rules for the Administration of Juvenile Justice* (The Beijing Rules) (1985) and *Declaration on the Social and Legal Principles relating to the Protection and Welfare of Children* (1986) provide specific guidelines for situations encountered in regions of armed conflict.[143]

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[133] Human Security Report Project, *Chapter 3: Children and Wartime Sexual Violence*, 2012, p. 60.
[134] Human Security Report Project, *Chapter 3: Children and Wartime Sexual Violence*, 2012, p. 60.
[135] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 3.
[136] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict,* 2003, p. 3.
[137] UN Security Council, *Resolution 2068 (2012) [Children and armed conflict],* 19 September 2012.
[138] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[139] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 2-4.
[140] Security Council Report, *June 2013 Monthly Forecast*, 2013.
[141] United Nations General Assembly, *Convention on the Rights of the Child*, 1990.
[142] United Nations General Assembly, *Convention on the Rights of the Child*, 1990.
[143] United Nations General Assembly, *Convention on the Rights of the Child*, 1990.

The *Convention of the Rights of the Child* (1989), the primary instrument focused on children's rights, specifically requires signatory Member States to protect children in and around armed conflict.[144] The UN General Assembly (GA) later adopted the *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict* on 25 May 2000 in the annex to resolution 54/263.[145] The Optional Protocol entered into force on 12 February 2002, which immediately triggered its provisions related to compulsory recruitments for children under the age of 18 and also raised the age at which direct participation in hostilities was considered contrary to international law to age 18..[146] As of July 2013, 151 Member States have ratified the Optional Protocol.[147]

Other international instruments addressing child soldiers specifically include the *African Charter on the Rights and Welfare of the Child* (1999), Convention No. 182 of the International Labour Organization concerning the *Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* (1999) and the *Rome Statute* (1998), which established the International Criminal Court (ICC).[148]

A robust network of non-governmental organization (NGOs) also contributes to monitoring and implementation of relevant instruments on children and armed conflict. On particularly noteworthy NGO, Watchlist on Children and Armed Conflict, unites several NGOs to share resources and best practices as they monitor and report violations against children in these situations.[149] Additional groups such as Child Soldiers International, focus on specific issues; in this case, the NGO works to end the recruitment or use of any child under the age of 18 in any military on hostile situation.[150]

### Role of the UN System

The UN has intensified its focus on the plight of children in armed conflicts since the 1990 World Summit for Children.[151]As a result, many offices throughout the UN system are involved in the matter.

The Office of the Special Representative of the Secretary-General for Children and Armed Conflict has been mandated since 1996 "to promote and protect the rights of all children affected by armed conflict."[152] Each year the Special Representative presents a report to the Security Council at the annual Open Debate on Children and Armed Conflict, after which the Council issues presidential statement or adopts a resolution outlining the priority issues and a subsequent plan of action.[153]The United Nations Committee on the Rights of the Child (CRC) oversees the implementation of the *Convention on the Rights of the Child* and its optional protocols amongst its signatories.[154] Operating under the Office of the United Nations High Commissioner for Human Rights (OHCHR), this group of independent experts reviews reports that all Member States party to the Convention submit concerning its implementation.[155]

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[144] United Nations General Assembly, *Convention on the Rights of the Child*, 1990.
[145] United Nations Treaty Collection, *Chapter IV: Human Rights*, 2013.
[146] United Nations Treaty Collection, *Chapter IV: Human Rights*, 2013.
[147] United Nations Treaty Collection, *Chapter IV: Human Rights*, 2013.
[148] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 3.
[149] Watchlist on Children and Armed Conflict, *Who We Are*, 2013.
[150] Child Soldiers International, *Our Goals*, 2013.
[151] UN Special Representative of the Secretary-General for Children and Armed Conflict, *About Us*, n.d.
[152] UN Special Representative of the Secretary-General for Children and Armed Conflict, *About Us*, n.d.
[153] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[154] OHCHR, *Committee on the Rights of the Child*, 2012.
[155] OHCHR, *Committee on the Rights of the Child*, 2012.

The General Assembly plays a significant role concerning children in armed conflict, in large part by overseeing the previously mentioned bodies and offices. The General Assembly oversees the United Nations Children's Fund (UNICEF), a body that does extensive work on a variety of children-related topics.[156] These include children and armed conflict, gender-based violence, sexual exploitation and abuse, landmines, small arms, and humanitarian access.[157] UNICEF's peace and security agenda prioritizes actions that put children's rights at the forefront of the Security Council's discussions and decisions.[158]

The Security Council first adopted resolution 1261 (1999) on "Children and armed conflict," which acknowledges violations against children during armed conflict as a peace and security issue.[159] Security Council resolution 1612 (2005) established a monitoring and reporting mechanism (MRM) defining six grave violations against children in armed conflict.[160] These are: the killing or maiming of children; the recruitment or use of children as soldiers; sexual violence against children; attacks against schools or hospitals; denial of humanitarian access for children; and abduction of children.[161] This MRM frames much of the discourse concerning children and armed conflict across the UN system. The same resolution also created the Security Council Working Group on Children and Armed Conflict; this body reviews reports on children in specific armed conflict situations and provides guidance to the United Nations and involved parties on how to proceed.[162]

### Key Challenges to Protecting Children in Areas of Armed Conflict

*Emerging Challenges due to the Changing Nature of Conflict*
The most recent report of the Secretary-General on "Children and armed conflict" (S/2013/245) discusses how the evolving nature of conflict creates new threats to the safety of children.[163] These changes include new warfare tactics like suicide bombings, the absence of distinct battlefields and front lines, use of drone technology, targeting of schools and other traditional safe havens, and detaining children allegedly belonging to militant groups.[164] Increasing terrorist and counter-terrorist activities also blur the lines defining security threats and cause threats to children to not fall clearly under the Security Council's mandate.[165]

Protecting children during military operations has become more complicated with more sophisticated war technology. Children are at greater risk for killing or maiming during hostile conflicts as aerial attacks and drone operations increase.[166] International humanitarian law does not prohibit these acts, but according to recent United Nations reports, parties to conflict (including Member States and non-state armed actors) particularly those in conflict situations, currently do not exercise enough caution and effective civilian protection measures to minimize non-combatant casualties.[167] The Secretary-General urges Member States "to take all measures necessary to ensure that attacks involving drones comply with

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[156] UNICEF, *UNICEF in Emergencies: Peace and Security Agenda*, 2003.
[157] UNICEF, *UNICEF in Emergencies: Peace and Security Agenda*, 2003.
[158] UNICEF, *UNICEF in Emergencies: Peace and Security Agenda*, 2003.
[159] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[160] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[161] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[162] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[163] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 2.
[164] UN Special Representative of the Secretary General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.
[165] UN Special Representative of the Secretary General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.
[166] UN Special Representative of the Secretary General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.
[167] UN Special Representative of the Secretary General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.

the principles of precaution, distinction and proportionality and to conduct transparent, prompt and effective investigations when child casualties may have occurred."[168] Drone use has also impacted the ability of children to access schools and education as communities in fear of drone strikes often keep their children at home.[169]

Education is seeing further additional impacts. Schools should be safe havens for children during conflict, but lately armed groups are using schools for military purposes, including as barracks, as command centers, for weapons storage, for detention and interrogation, and for firing and observation.[170] This tactic causes schools to become an attack target for opposing forces and leads to the destruction of education infrastructure.[171] The changing nature of conflict is seen in marked attacks not only on schools but also on students and teachers, including the use of gas and acid on students traveling to school and increased shootings and bombings on campuses.[172] Targeted violence at schools causes reduced enrollments and higher dropout rates.[173]

Children are also increasingly subjected to illegal arrest and detention with or without charges as states perceive them as national security threats or alleged participants in hostilities.[174] Detained children are kept long-term in poor conditions violating international juvenile justice standards and are frequently left without access to legal counsel or judicial review.[175] If they do receive court time, the conditions often do not comply with international standards; for example, military courts should not hear children's cases as they do not recognize their juvenile status and rights, yet some states have military juvenile courts.[176] Children become vulnerable to human rights violations under detention, including degrading and inhuman treatment like physical violence, rape and sexual assault, painful restraint instruments, solitary confinement, deprivation of food and water, and torture.[177]

*Child Soldiers and the Use of Children as Instruments of Violence*
The *Paris Principles on the Involvement of Children in Armed Conflict* (2007) defines a child soldier as "any person below 18 years of age who is, or who has been, recruited or used by an armed force or armed group in any capacity, including by not limited to children, boys and girls, used as fighters, cooks, porters, spies, or for sexual purposes."[178] Hundreds of thousands of children around the world fall into this category, whether they take a direct role in combat or a supporting role acting as lookout.[179] Children are also frequently used for high-risk or terminal jobs: boys and girls as young as eight are increasingly used as child suicide and child victim bombers; often the children do not know they are carrying a bomb or know the consequences of their actions.[180]

Campaigns against child soldiers took off in the 1990s. The Secretary-General appointed an independent expert who published the landmark report *Impact of Armed Conflict on Children* in 1996 and drew attention to the United Nations Commission on Human Rights' draft Optional Protocol to change the age

[168] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[169] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 4.
[170] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[171] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[172] UN Special Representative of the Security General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.
[173] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 2.
[174] UN Special Representative of the Security General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.
[175] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[176] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[177] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 3.
[178] UN Special Representative of the Secretary General for Children and Armed Conflict, *Child Recruitment*, n.d.
[179] UN Special Representative of the Secretary General for Children and Armed Conflict, *Child Recruitment*, n.d.
[180] UN Special Representative of the Security General for Children and Armed Conflict, *Changing Nature of Conflict*, n.d.

of recruitment from 15 to 18.[181] Armed groups become more likely to recruit children to refill the ranks as conflicts prolong.[182] The increased distribution and availability of inexpensive light weaponry also contributes to increased recruitment of child soldiers.[183] In addition, children become more susceptible to recruitment during this time as they desire the food security and increased chances for survival that come with belonging to an armed group among deteriorating socioeconomic conditions.[184] Whether forcefully or willingly recruited, child soldier victims face several physical and emotional life-long consequences from what they have witnessed, been subjected to, or been forced to do.[185] These children face a complicated rehabilitation and reintegration process.[186]

*Moving Forward: How to Protect Children's Rights*
The Security Council faces several challenges as it faces the issues posed by the changing nature of conflict. First, it must consider how to effectively increase political pressure on Member States that do not currently comply with all international obligations concerning the right of the child, particularly in the case of long-term perpetrators.[187] Currently, Security Council resolutions 1379 (2001), 1882 (2009), and 1998 (2011) on "Children and armed conflict" establish a naming and shaming exercise by requesting the annual Secretary-General report list all parties that recruit and use children; kill, maim, or commit sexual violence against children in conflict; or attack schools or hospitals.[188] The pressure exerted by this system has not been a sufficient deterrent: the most recent Secretary-General's report now also identifies who has been on the shaming list for five or more successive years.[189]

The Security Council has also developed action plans and sanctions as tools to deter such violations. Action plans require named and shamed parties to participate in talks and work towards an agreement in order to be removed from the Secretary-General's list.[190] The Council should examine how it can make better use of this tool, including how to increase the number of action plans in place and guarantee action plan implementation.[191] The Council has identified the need for Member States to receive support and resources to build capacity and national accountability mechanisms.[192] If the situation requires greater action, the Council can also choose to adopt punitive sanctions, including arms embargoes, the freezing of assets, and travel bans.[193]

## Case Studies

*Mali*

Mali plunged into instability and conflict in 2012 when a coup was launched against the democratically elected government of President Amadou Toumani Touré in response to both internal and external dynamics.[194] French forces intervened in early 2013 and recaptured the northern cities of Gao, Timbuktu,

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[181] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 8.
[182] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 3.
[183] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 7.
[184] UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, 2003, p. 3.
[185] UN Special Representative of the Secretary General for Children and Armed Conflict, *Child Recruitment*, n.d.
[186] UN Special Representative of the Secretary General for Children and Armed Conflict, *Child Recruitment*, n.d.
[187] Security Council Report, *June 2013 Monthly Forecast*, 2013.
[188] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[189] Security Council Report, *June 2013 Monthly Forecast*, 2013.
[190] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[191] Security Council Report, *June 2013 Monthly Forecast*, 2013.
[192] United Nations Security Council, *Statement by the President of the Security Council (S/PRST/2013/8)*, 17 June 2013.
[193] UN Special Representative of the Secretary General for Children and Armed Conflict, *Role of the Security Council*, n.d.
[194] Tran, *Mali: A Guide to the Conflict*, 16 January 2013.

and Kidal from the rebels, though rebels later recaptured the latter after French troop withdrawal.[195] Primary actors in this conflict comprise of Islamic religious groups, Tuareg ethnic minorities, the military junta, interim president Dioncounda Traore, and foreign countries including France and countries within the Economic Community of West African States (ECOWAS).[196] As of June 2013, the government and Tuareg rebels have signed a treaty to allow for future elections.[197] The Security Council established a peacekeeping force for Mali effective the beginning of July 2013.[198] The stabilization mission includes Child Protection Advisers to monitor children's rights and report any grave violations per recent Security Council resolutions on Children and Armed Conflict.[199]

Children were exposed to many forms of violence during this period. Though 2012 data from this region is scarce, it indicates extensive recruitment of child soldiers by numerous armed groups, including hundreds of boys between the ages of 12 to 15.[200] After indoctrination, many recruited children enforced Islamic law at checkpoints and in villages.[201] While some were forcibly recruited and others bribed with payment or education, several boys joined voluntarily for religious or ethnic motivations.[202] Children also joined pre-government forces; as these groups are integrated into Malian forces, the country must create methods to identify and extract these children.[203] Limited information is again available on the killing and maiming of children, though the scarce data indicates some of these figures occurred during French and Malian aerial bombings in the north.[204] The conflict has considerably damaged children's access to education as 115 schools were "looted, damaged, bombed, used for military purposes or contaminated with unexploded ordnance."[205] In addition, 211 cases of sexual violence have so far been reported, including rape, sexual slavery, sexual violence during detention, and forced marriage.[206]

*The Occupied Palestinian Territory*

The Israeli occupation of Palestinian territories has been an international concern since Israel declared its independence in 1948, at which point it claimed and occupied 77% of Palestinian-allotted territory and created more than half a million refugees by expelling a majority of the Palestinian population.[207] Palestinians rose up against Israeli occupation with the First Intifada of 1987 and subsequent Second Intifada in 2000.[208] Israel had partially withdrawn forces during this time due to the 1993 Oslo Accords, but the Second Intifada triggered the re-expansion of Israeli occupation as well as Israeli military incursions and extrajudicial killings, and destruction of Palestinian property.[209] Israel retaliated against Palestinian rockets, mortars, and suicide bombers by restricting Palestinian movement with checkpoints, access restrictions, and the construction of the West Bank Separation Wall.[210] Recent occupation is

[195] BBC News, *Mali Profile*, 19 June 2013.
[196] BBC News, *Mali Crisis: Key Players*, 12 March 2013.
[197] BBC News, *Mali Profile*, 19 June 2013.
[198] UN Security Council, *Security Council Establishes Peacekeeping Force for Mali (SC/10987), 2013.*
[199] UN Security Council, *Special Representative, Briefing Security Council, Recounts 'Unprecedented Threats' to Children in Mali, Syria Conflicts (SC/11035)*, 17 June 2013.
[200] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 21.
[201] Watchlist on Children and Armed Conflict, *Where Are They...?*, 2013.
[202] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 21.
[203] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 21.
[204] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 22.
[205] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 22.
[206] UN Security Council, *Report of the Secretary General on Children and Armed Conflict (S/2013/245)*, 2013, p. 22.
[207] United Nations, *History of the Question of Palestine*, n.d.
[208] United Nations, *The Question of Palestine and the United Nations*, 2008, p.27.
[209] United Nations, *History of the Question of Palestine*, n.d.
[210] United Nations, *History of the Question of Palestine*, n.d.

characterized by restriction mobility, land seizure, and general inhibition of Palestinian economic and social rights.[211] After Hamas won the Palestinian legislative elections in 2006 and, during internecine Palestinian fighting, took control of the Gaza Strip completely, Israel implemented a blockade in Gaza to deter the regime that inhibits access to economic inputs and raw materials necessary for development.[212]

The armed conflict in the occupied Palestinian territories (oPt) directly affects children in several ways; prominent is the issue of arbitrary arrest and detention of children by Israeli forces as they secure settlement areas.[213] In a 2013 study, UNICEF found a widespread and systematic ill treatment of children across the Israeli military detention system.[214] Israel operates the only juvenile military court in the world, which by definition denies children from the basic rights acknowledged in the *Convention on the Rights of the Child*.[215] Military and security agents arrest, interrogate and detain about 700 Palestinian children each year; almost all are 12 to 17-years-old, and most are boys.[216] Many are arrested by armed soldiers in their homes at night and not informed of a right to legal counsel.[217] Children are bound, detained and interrogated until they confess, and face incarceration without communication with their families due to limited movement allowed in the occupied territories.[218]

The occupation of Palestine also greatly affects the education of Palestinian children. For example, children are denied access to education while in the military court system.[219] Children in East Jerusalem have the highest rates of school non-enrollment, due to lack of residency permits, while schools in Gaza and East Jerusalem are overcrowded, especially as many schools destroyed during Israeli invasions in Gaza have not been rebuilt.[220] Just traveling to and from school is a deterrent to many families due to the risk of Israeli soldier and settler harassment or attack during the commute, especially in Area C and Gaza.[221] Child labor is also an increasing problem in the territories: West Bank child labor has increased to near 15,000 cases, and while reported cases in Gaza have dropped, the mortality rate and danger of work in tunnels and buffer zone are increasing.[222]

*Conclusion*

Children face a wide variety of threats to their safety and wellbeing in situations of armed conflict. Long-term concerns such as the use of child soldiers, the killing or maiming of children in these areas, and sexual violence against children are now joined by new emerging challenges as the nature of conflict changes with technology. As recently recognized by the Secretary General, the Security Council must now address the impact of drone attacks, the use of children as terrorist actors, the use of schools as bases for armed forces , and increasing illegal arrest and detention of juveniles. Mali and the oPt present case studies of some of these challenges and identify problems the UN and the Security Council must better address. The Security Council has an arsenal of tools that could be better deployed, such as naming and shaming exercises and sanctions.

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[211] UN ECOSOC, *Report of the Secretary General on Economic and Social Repercussions of the Israeli Occupation*, 2012.

[212] UN ECOSOC, *Report of the Secretary General on Economic and Social Repercussions of the Israeli Occupation*, 2012.

[213] UN HRC, *Report of the Independent International Fact-Finding Mission to Investigate the Implications of Israeli Settlements*.

[214] UNICEF, *Children in Israeli Military Detention*, 2013, p. 1.

[215] UNICEF, *Children in Israeli Military Detention*, 2013, p. 1, 6.

[216] UNICEF, *Children in Israeli Military Detention*, 2013, p. 9.

[217] UNICEF, *Children in Israeli Military Detention*, 2013, p. 9.

[218] UN HRC, *Report of the Independent International Fact-Finding Mission to Investigate the Implications of Israeli Settlements*.

[219] UN ECOSOC, *Report of the Secretary General on Economic and Social Repercussions of the Israeli Occupation*, 2012.

[220] Palestinian National Authority, *Implementation of the Convention on the Rights of the Child in the oPt*, 2011, p. 14.

[221] Palestinian National Authority, *Implementation of the Convention on the Rights of the Child in the oPt*, 2011, p. 14.

[222] Palestinian National Authority, *Implementation of the Convention on the Rights of the Child in the oPt*, 2011, p. 14.

How can the Security Council adapt and more effectively use existing instruments to address old and new challenges for children in armed conflict? What emerging threats to children's safety and security need to be addressed and how can the Council do this?

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> developments over the past few years, including documentation of rebel activity leading
> to the escalation seen in 2012. This is an excellent source for delegates who are
> unfamiliar with the situation and need to gain an understanding of the conflict, from the
> series of events to the actors. The page is continuously updated as well, so delegates will
> be able to see what development have occurred since the writing of this background
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http://hsrgroup.org/docs/Publications/HSR2012/HSRP2012_Chapter%203.pdf
> *This chapter of the Human Security Report 2012 first reviews the statistics and context of
> children and wartime sexual violence, including a definition of sexual assault. The report
> finds that while the UN's Children and Armed Conflict six-point policy agenda and grave
> violations are salient to the new millennium; they fail to provide an estimate for the
> extent or severity of wartime sexual violence. The report suggests possible ways to
> generate this data to inform policy making. While not a focus on this background guide,
> this report is a fantastic place for delegates to find an analysis of the current UN agenda
> and to consider what could or should be done to improve Security Council-mandated
> policy.*

Security Council Report. (2013). *June 2013 Monthly Forecast: Children and Armed Conflict*. Retrieved
July 2, 2013 from http://www.securitycouncilreport.org/monthly-forecast/2013-
06/children_and_armed_conflict_1.php
> *This Forecast provides an overview of the expected Security Council reaction to the most
> recent Secretary-General's report on children and armed conflict. It reviews the
> significant changes over the past year described in the report. Most significantly, it
> provides a succinct analysis of what issues the Security Council faces as it moves forward
> in the wake of the report and lays out several options available to the Council. It also
> provides a synopsis of Council dynamics, which while somewhat subjective illuminates
> the politics of the body. This document is short, informative, and provides a convenient
> refocusing point after delegates have thoroughly research the topic and are preparing to
> consider what the Council should do to move forward.*

United Nations Children's Fund. (2012). *CAAC Bulletin September 2012: Children Affected by Armed
Conflict*. Retrieved July 2, 2013 from http://www.unicef.org/oPt/CAAC_bulletin_-September_2012.pdf
> *The United Nations Children's Fund (UNICEF) publishes this bulletin on children
> affected by armed conflict in Israel and the occupied Palestinian territory bi-monthly.
> While last published in September 2012, this bulletin provides delegates with an in-depth
> perspective of the impact of armed conflict on children in this region. It notes the
> statistics and demographics of child killings and injuries while noting the causes. It
> further summarizes the recruitment and use of children by armed forces and groups,
> arrest and detention of children, ill-treatment and torture, and education-related*

> *violations. This is a superb resource for delegates looking to gain an understanding of the impact of the Israel-Palestine conflict on children.*

United Nations Children's Fund. (2003). *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*. Retrieved July 19, 2013 from:
http://www.unicef.org/emerg/files/option_protocol_conflict.pdf
> *This guide provides an excellent overview of the international framework concerning child recruitment and participation in armed conflict. The guide reviews the framework leading to and allowing for the Optional Protocol and previous UN publications and session on the topic. It details the key provisions of the Protocol as well as the ratification, monitoring, reporting, and implementation processes. While ten years old, this document provides a robust synopsis of most recent agreements relating to the topic in an approachable, easy-to-read fashion. It is a good place for delegates to start gathering information on what protection children have the right to in situations of armed conflict.*

United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (n.d.). *Changing Nature of Conflict*. Retrieved June 29, 2013 from
http://childrenandarmedconflict.un.org/effects-of-conflict/the-changing-nature-of-conflict/
> *While short, this website provides a cogent summary of the new challenges faced in the protection of children and armed conflict. Pulling from several documents, including the newest Secretary-General's report, the page lays out how conflict is changing and identifies four principal ways as to how it is endangering children. While not exhaustive, this is a fantastic place for delegates to begin their research on what the topic is all about as the information is broken down and presented in an easy-to-understand format.*

United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (n.d.). *Role of the Security Council*. Retrieved June 29, 2013 from
http://childrenandarmedconflict.un.org/our-work/engagement-of-the-security-council/
> *This webpage provides a succinct and informative overview of the Security Council's mandate and role concerning children and armed conflict. This overview includes the Security Council's annual open debate on the topic and outlines what tools it has developed to strengthen child protection compliance. These include a naming and shaming exercise, action plans, establishment of a monitoring and reporting mechanism (MRM) on grave child rights violations, creation of the SC Working Group on Children and Armed Conflict, and adoption of sanctions. It furthermore outlines six types of MRM including killing or maiming, use of children as soldiers, and attacks against schools or hospitals and provides links to in-depth information on each of the six topics. This is an excellent place to begin gaining an understanding of the role of the Security Council in the big picture of the topic.*

United Nations, Security Council. (2013, May 15). *Children and Armed Conflict: Report of the Secretary-General (S/2013/245)*. Retrieved June 29, 2013 from www.undocs.org/S/2013/245
> *The Secretary-General's report highlights the evolving nature of armed conflict and the subsequent emerging challenges for child protection, including military use of school, detention of children by security forces, and the impact of military use of drones on children. It describes several methods that could be utilized to enhance the compliance of armed forces and armed groups concerning the right of the child. The report next provides in-depth information and detail on all of the country situations currently on the Security Council's agenda, including Myanmar, the Occupied Palestinian Territory, and*

*Mali. The Secretary-General concludes the report with a series of recommendations concerning children and armed conflict. This is an excellent comprehensive source of the most up-to-date official UN information on this topic and is critical to any delegate's research.*

United Nations, Security Council. (2013, May 1). *Report of the Secretary-General on Children and Armed Conflict in Myanmar (S/2013/258)*. Retrieved July 2, 2013 from www.undocs.org/S/2013/258

> *This document reports on children and armed conflict in Myanmar from April 2009 to January 2013. The Secretary-General first reports on the political, military and social developments in the country during this time period before detailing the simultaneous grave violations of children's rights. The report details the recruitment of children by armed forces and groups, primarily but not exclusively by the Tatmadaw Kyi; the killing and maiming of children; sexual violence against children, abduction of children, attacks on schools and hospitals, and denial of humanitarian access. It further notes the dialogue and action plan to redress violations and abuses committed against children in Myanmar and provide future recommendations. This is a great and exhaustive source for learning the details concerning the situation in Myanmar*

United Nations, Security Council. (2013, June 17). *Statement by the President of the Security Council (S/PRST/2013/8)*. Retrieved June 30, 2013 from www.undocs.org/S/PRST/2013/8

> *This Presidential Statement provides the Security Council's response to the Secretary-General's 2013 report on children and armed conflict. It reiterates the Council's support for measures created through past resolutions and identifies several challenge areas for the Council as it moves forward on this topic. It furthermore identifies and commends several successful tools in the UN's arsenal for protecting children in armed conflict. This document is useful for delegates once they have an understanding of the topic and want to move forward because it identifies where their research and position papers should focus.*

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