



SECURITY COUNCIL



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BACKGROUND GUIDE 2009



Official Welcome

Dear Delegates,

On behalf of Jed Ober, Kristina Getty, and the excellent staff that make up the 2009 National Model United Nations-DC Conference, we would like to officially welcome you to the Security Council. We have worked diligently to prepare this background guide for you and hope you find it useful in your preparation for this year's conference. When you gather in Washington you will join delegates from around the world to deliberate on critical issues of international peace and security. Properly representing the interests of your Member State and thoroughly addressing the topics before the council will require each delegate's commitment to all aspects of the conference proceedings, including preparation. This guide is an introduction to the topics before the council and a starting point for your important preparation.

In collaboration with the NMUN-DC 2009 executive staff, your committee directors have chosen three topics which encompass one of the most paramount guiding principles of the United Nations' contemporary focus: the responsibility to protect (R2P). "The Situation in Darfur," "Preventing Violence in International Waters," and "Protecting Civilians in Armed Conflict: The Case of Pakistan" are three dynamic issues in international security. The dynamic nature of these issues will force you to work collaboratively and think creatively craft solutions as a body of delegates, not as individual Member States.

As a delegate in the Security Council, you are responsible for representing the interests of your country to the best of your abilities; however, you also have a responsibility as a body to uncover the common ground which binds all Member States in the pursuit of international peace and security. We hope this spirit will guide your work and trust your collective efforts will result in significant contributions to the debate of these important topics.

History of the Security Council

The maintenance of international peace and security is the bedrock objective of the United Nations (UN). Chapter V, Article 24, of the Charter of the United Nations entrusts the Security Council with the "primary responsibility for the maintenance of international peace and security." As such, the Security Council is considered both the most important and most powerful of all UN organs. The power of the Security Council is made tangible by Chapter V, Articles 25 and 29, which require all UN Member States adhere to the body's decisions and empower the Council to create subsidiary organizations respectively. The authority to create subsidiary organizations has combined with the binding nature of the Council's decisions to make the Security Council ultimately responsible for the mandates of UN peacekeeping missions and thus a primary instrument in the pursuit of peace and security.

Through the decades, the Council has become a body of utmost importance for the international discussion that occurs within it as well as the theoretical discussion centered on it. Advocates of the Council point to its success in providing this critical forum for discourse on matters of international security and also in its ability to adjudicate on pressing matters on short notice. Critics argue that the Council's power does not match how it is articulated in the Charter, as they are oftentimes unable to meet the security threats which Member States collectively face. Debate on the Council's place and use in international relations, as well as R2P, therefore often are reduced to a question of theoretical perspective and delegates should strongly consider both realist and liberal theories. Whether one believes the Council is power wielding or power yielding, there is little debate to the historical events which have taken place within the body. From the dramatics of the Cuban Missile Crisis to the testimony in the lead-up to the current military operation in Iraq, the Council has proved a rich drama for the actors of international relations. As a delegate in the Security Council your contributions will become etched into the history of the Council and the United Nations system.

I. The Situation in Darfur

- How can the international community support confidence-building measures in the region? How can the UN and the African Union (AU) continue to work together to cease hostilities and aid in security in the region?

- How can the international community aid in the reintegration of humanitarian NGOs and the protection of civilians at large? How can the Council help to establish better protective measures for women and girls? How can the Council further ensure the ability of locals to provide for themselves? Lastly, how can the international community and various organizations of the UN help to support the upcoming Sudanese elections?

Since conflict began in Darfur, Sudan, in early 2003, the situation has been of grave concern to this body. Specifically within the context of the Responsibility to Protect (R2P), the situation has also remained central to discussion of its effectiveness and viability. This is because as R2P was announced at the 2005 World Summit, fighting in Darfur had just began and Darfur was viewed as the both the reasoning behind the policy as well as the first situation for its debate. While the situation in Darfur has improved in recent months, it is still dire, and consideration of when and if the international community should intervene is equally, if not more, pressing as it was four years ago.

As previously mentioned, the situation in recent months has mildly improved as the most recent report to the Secretary-General states many of the rebel groups, including the Justice and Equality Movement (JEM) and the Sudanese Liberation Movement (SLM), have agreed to pursue negotiations with the Sudanese government. These negotiations have been codified in the February 17, 2009 Agreement of Goodwill and Confidence-building. The Agreement most notably provides for a means of establishing diplomatic ties and a mediation group between involved parties and specifically allowed for the discussion of requirements for cessation of hostilities. One of the main requirements for this cessation is the reintegration of non-governmental organizations (NGOs) in Darfur. In early March 2009, the Sudanese Government expelled 13 international NGOs and three national NGOs from the area which has left those remaining NGOs struggling to fill the void, short on supplies, and unable to cope with the needs of civilians. Even as Sudan begins to allow NGOs to return, many NGO workers still fear for their safety, and it will take a significant amount of work for supplies and aid to return to pre-expulsion levels. While the safety of NGO workers is in question, at this time the situation of women and children, specifically female children, is also a grave humanitarian concern. Women and girls have been and continuously are victims of sexual and gender-based violence in Darfur. This is why the Security Council resolution 1881 from July 30, 2009, calls on the Secretary-General to develop a “comprehensive strategy” for protecting women and children.

In an effort to improve this situation, the Security Council has created and continuously strengthened the role of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Established in 2007, UNAMID had a mandate until 31 of July 2009 which has recently been extended by Security Council resolution 1881 to July 31, 2010. UNAMID is the first type of joint AU/UN peacekeeping operation and has worked to implement the Darfur Peace Agreement and to protect civilians. While intended and designed to be the largest UN peacekeeping operation, its ability to monitor and diffuse the situation has been weakened by both the Sudanese government’s unwillingness to cooperate and a lack of troops and supplies, making UNAMID much smaller and less effective than it could be. Because of this, Resolution 1881 also calls on the international community to donate supplies and for UNAMID to improve its readiness by evaluating and expanding creatively upon how it can uphold its mandate, reporting every 90 days to the Secretary General, and better coordinating with the United Nations Mission in Sudan (UNMIS). The situation within Darfur itself is also not the only concern of the Security Council as tensions between Chad and Sudan have become strained due to the refugee crisis and cross-border military incursions. As violence continues and a lasting peace has yet to be reached, the Council must work to ensure that conflict does not once more escalate or further destabilize the region. Because of this, ways to support the Doha Agreement and Dakar Agreements in an effort to improve relations between Chad and Sudan should also be examined.

II. Preventing Violence in International Waters

- What are the causes of violence in international waters? What effects does violence in international waters have on the safety of civilians and the vitality of international commerce? How can humanitarian ships be better protected?
- What protocols should be established for determining when the UN should authorize national and regional forces to enter foreign waters? How can the UN best ensure conflict is not dealt with on an ad-hoc basis? Should international maritime law or the roles of different maritime agencies be amended? If so, how?

The issue of preventing violence in international waters is of concern because of increased piracy and armed robbery off the coast of Somalia; its discussion, however, must address several general concerns about how best the international community may respond to any and all forms of violence in international waters. Not limited to piracy and robbery, these acts of violence are on the rise and may also include military attacks on vessels, illegal smuggling, people trafficking, and narcotics trade. All of these acts of violence are especially of concern because of the unique way they affect civilians and the unique circumstances that surround attempts at ending the violence. For example, in the process of pirates seizing ships and demanding ransoms, humanitarian efforts are hindered as supply ships are delayed or threatened, leaving civilians without food and medical resources. Trade in violent international waters is also difficult, and crews and ships carrying economic goods are constantly in danger. In international waters, these acts quickly become much more difficult to address, solve, and rectify due to logistical and legal concerns.

International waters are first and foremost hard to protect because they are incredibly large areas with, as the designation implies, no national navy already patrolling them. When attacks occur, warships cannot get there immediately to aid in resolution. Much violence in international waters is also difficult to assess because there are large amounts of fraud and problems with identification because of lacking intelligence. The actions that may be taken by intervening vessels are also limited by international regulations such as the UN Convention on the Law of the Sea (UNCLOS), which states that any navy may seize a ship committing piracy and have the pirates tried under the country's laws. In international waters, determining who may intervene or what country's laws becomes problematic. These issues are exponentially more difficult in evaluating the case of Somalia. While national navies have been authorized by the Security Council to pursue Somali pirates into Somali seas as Somalia has no proper, well-functioning government, what laws should then be utilized? Some countries have established agreements such that pirates captured by British ships may be tried in Kenya, but other bodies, such as the European Union have been unable to establish these agreements. This means that problematically all processes for dealing with judicial concerns, especially relating to the current case of Somalia, are ad hoc and lack standardization.

Because of the extreme difficulties in terminating pre-existing violence, the body should consider steps to prevent violence in international waters. To do so, this body must concern itself with providing for the increased stability and end to land based conflict. A broader approach is needed because piracy is a symptom of other issues that military intervention may not solve. Somali piracy is symptomatic of troubles with the Somali government and is often the result of citizens attempting to claim back humanitarian goods. Addressing the source of this problem is incredibly difficult and so solutions in place are only temporary attempts at solving the breakdown of the Somali government. Commercial and navy ships have developed new safety policies for combating piracy or smuggling such as stricter communication and record keeping. They have also developed high-pressure water jets and high-frequency sounds to disable boats. Some private companies have even gone so far as to place armed guards on ships, a strategy that concerns the International Maritime Organization for fear this will only escalate violence. In the case of the Horn of Africa, a safety passage which is by no means truly safe, but is more guarded and monitored than other areas, has also been established to provide for more secure travel. Undoubtedly, because of the lack of progress in addressing this issue, a clear policy is needed regarding patrolling areas and an organizational mechanism in order to coordinate international efforts and better protect trade and humanitarian vessels in the region. It is one thing for the UN to authorize navies but another for navies to actually take the initiative and jeopardize their safety. Likewise, capturing and trying perpetrators once caught in international water are two entirely separate issues. Preventing violence therefore requires increased international cooperation in the short-term and addressing the issues that cause land conflicts to escalate to water conflicts in the long-term.

III. Protecting Civilians in Armed Conflict: The Case of Pakistan

- What principles guide states in protecting civilians in armed conflict? What are the weaknesses in the current international discourse in this regard as well as the practical actions pursued by states and multinational coalitions to protect civilians?
- How best can Member States combat violence against civilians from non-state actors? Should this burden be shared in a non-discriminatory fashion or should the onus weigh more heavily on some Member States?

- Is Pakistan meeting its responsibility to protect? What role can the international community play in protecting the internally displaced peoples (IDPs) of Pakistan? Are there examples of past multilateral action which can be useful as a model in addressing the needs of the IDPs in Pakistan?

Secretary-General Ban Ki-Moon has made the protection of civilians in armed conflict a primary theme of the United Nation's contemporary discourse and a pillar in the expansion of international peace and security. This commitment to the protection of civilians in armed conflict is codified in Security Council resolutions 1674, 1265, and 1296, as well as in numerous recent reports and statements issued by the Secretary-General's office. This principle is also advanced via the UN's focus on each Member State's responsibility to protect its citizens and the responsibility of all Member States to protect humanity from the scourge of war. Unfortunately, the rhetoric of protection has not evolved into a consistent and coherent plan for practical action. States in some of the world's most troubled regions lack the capacity and vision to protect their civilians in the midst of conflict.

The current situation in Pakistan is a prime example of the disconnect between shared principles and practical action. The citizens of Pakistan who inhabit the regions which border with conflict-ridden Afghanistan live under brutal conditions of both internal and international conflict. As a result of the international presence in Afghanistan and the clashes between Taliban fighters and the national army, millions of Pakistanis have been displaced from their homes and have their lives threatened daily. It is a sad example of the inadequacies of our collective effort to meet the challenges our world poses. This situation demands the attention of the institution which has boldly stated its desire to promote protection. While the travails of the Pakistani people should be motivation enough, the situation could provide a proving ground for a bold new collective strategy built upon a partnership between the Pakistani government and the international community in order to bring the protection so often advocated for to the people who so often need it.

This body should consider not simply the issue of the displaced citizens of Pakistan, but the need for an international framework by which the displaced have access to the vital services and information which can change their lives. Almost three million Pakistanis are suffering from internal displacement. In order to soothe their pain, this body must unravel the issues with the current assistance framework, which some have ridiculed as too centralized and lacking the accountability mechanisms which can provide IDPs avenues for participation in the determination of their fate. This body must also address the daunting issue of pursuing reconstruction in war torn areas while ensuring the safe resettlement of IDPs. In a broader sense, the international community should attempt to expand upon the R2P framework to incorporate action plans for rapid IDP relief. The ability of the Security Council to address these issues will determine both the fate of Pakistani IDPs and the methods by which Member States will address such issues in the future.

Annotated Bibliography

History of the Security Council

Bourantonis, Dim. (2007). "The History and Politics of UN Security Council Reform". New York: Routledge.

This book gives an overview of the history of the Council in terms of the efforts to reform its function, which began only shortly after the terms were agreed upon in 1945. Bourantonis chronicles the debate surrounding the Security Council throughout the Cold War and in the post-Cold War era. The book also provides insight into the role of the permanent members throughout the council's tenure.

Glennon, Michael J. (2003, May-June). "Why the Security Council Failed". *Foreign Affairs*, 82 (3), 16-35.

<http://www.foreignaffairs.com/articles/58972/michael-j-glennon/why-the-security-council-failed>.

Written in light of the US decision to invade Iraq, in this brief article Dr. Glennon, professor at Tufts University, puts forth the argument that U.S. actions show that the intent of the United Nations has failed. Specifically, he argues that U.S. actions show how the rule of law cannot contain the use of force. This he further explains demonstrates the rift between how the Security Council was designed to work and how states actually do act.

Luck, Edward C et al. (2003, July-August). "Stayin' Alive: The Rumors of the UN's Death Have Been Exaggerated". *Foreign Affairs*, 82 (4), 21-205.

<http://www.foreignaffairs.com/articles/59012/edward-c-luck-et-al/stayin-alive-the-rumors-of-the-uns-death-have-been-exaggerated>.

In the aftermath of the U.S. invasion of Iraq the UN Security Council came under intense scrutiny. Some criticized the Council for its inability to prevent war, some for its inability to authorize the use of force. While delegates need not be intimately familiar with the specific debate surrounding the Security Council's role in the U.S. war in Iraq, these pieces will help enrich your understanding of the contemporary debate surrounding the role of the Security Council in international relations.

Malone, David M., ed. (2004). *The UN Security Council*. Boulder: Lynne Rienner Publishers.

This collection of essays covers the birth of the Security Council, its first actions, and its contemporary history. It offers interesting accounts of historical council debates as well as a broad discussion of what role the Security Council has and does play in the international system. This book provides both an introduction to and an analysis of the Security Council.

I. The Situation in Darfur

De Waal, A. (2007, November). "Darfur and the failure of the Responsibility to Protect." *International Affairs*, 83, 1039-1054.

This article by De Waal is crucial for the study and understanding of the Responsibility to Protect within the case study of Darfur. First, this article provides a detailed history of the situation, explaining international response and the actions of all parties involved, while also evaluating what the international community saw as the first example of utilizing the R2P, having developed the concept at the 2005 World Summit. Secondly, this article evaluates the various ways through which the conflict was mitigated such as the disarmament process and the ceasefire within the context of UN efforts. Based on his evaluation of these two aspects, De Waal explains that when evaluating the R2P and Darfur, we must understand that there is a problem with the R2P itself, it is not simply a question of lacking political will. As De Waal concludes, too much was promised and too much hope was placed with the idea found within the R2P that international intervention could end and solve the conflict in Darfur.

International Crisis Group. (2009). *Crisis in Darfur*. Retrieved June 26, 2009, from:

<http://www.crisisgroup.org/home/index.cfm?id=3060&l=1>.

Developed by the International Crisis Group (ICG), an international non-governmental organization known for its work focusing on the EU, this Web site and project provides a narrative to understand the conflict. More specifically, the ICG has also sought to include general recommendations for the situation in Darfur that take into account the various and complicated reasons for conflict in the region. This Web site also serves as a database to other reports which focus on issues such as the security situation in Darfur or the UN's role in Darfur. Lastly, this source provides links to many opinion pieces that allow delegates to understand the gravity of the situation.

Ki-Moon, B. (2009, June 9). *Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur*. Retrieved June 26, 2009, from

<http://daccessdds.un.org/doc/UNDOC/GEN/N09/363/65/PDF/N0936365.pdf?OpenElement>.

This Report of the Secretary-General provides a comprehensive overview of the current situation in Darfur as of June 9, 2009. It details recent political developments, the security situation, the humanitarian situation, UNAMID operations, and UNAMID deployment. More importantly, it provides a first-hand account, specifically under the last section "Observations," of the worrisome humanitarian situation in Darfur.

United Nations. (2009). *African Union-United Nations mission in Darfur*. Retrieved June 26, 2009, from <http://unamid.unmissions.org/>.

This Web site is the electronic headquarters for the African Union/United Nations Hybrid Operation in Darfur, an operation which must be understood to effectively utilize and improve upon its work. The site is updated regularly and provides detailed background information and a narrative on the background, mandate, and current status of the UNAMID operation. More importantly, this Web site provides up to the hour information on news events concerning the situation.

United Nations. Security Council. (2009, July 30). *Reports of the Secretary-General on the Sudan* (S/RES/1881). Retrieved July 31, 2009, from <http://daccessdds.un.org/doc/UNDOC/GEN/N09/433/93/PDF/N0943393.pdf?OpenElement>.
This key resolution was passed by the Security Council in response to both the Report of the Secretary-General from June 9, 2009, as well as the need to extend UNAMID's mandate which it does extend to July 31, 2010. It is important because, based on the deteriorating human rights situation in Darfur, it calls upon the Secretary-General to develop a strategy to protect women and girls from sexual and gender-based violence at large and within the context of Darfur and UNAMID. Within this resolution, the Council also calls on Sudan and Chad to adhere to their previous Dakar Agreement, UNAMID to evaluate how best it can achieve its mandate, and Member States to pledge support through donation of specific supplies.

II. Preventing Violence in International Water

International Institute for Strategic Studies (2009, February). "Combating piracy off Somalia." *Strategic Comments*, 15, 1-2.
This concise work published by a the leading British think-tank dedicated to political-military affairs offers readers an overview of the international framework surrounding the conflict in Somalia, detailing the organizations, conventions, and laws that become involved when trying to put an end to piracy. At the same time, it raises many key issues before the international community that must be debated and resolved for there to be actual progress on the issue. For example, these issues range from the role of armed guards at sea, to the possible need to revise international law or the effects of the UN already having done so. Ultimately, though, this work is important because it explains how "military efforts cannot address more than the symptoms of piracy" making other actions more necessary.

Koko, S. (2007, September). "Whose responsibility to protect? Reflection on the dynamics of an 'Abandoned Disorder' in Somalia." *African Security Review* 16(3), 2-13.
Dr. Koko, an independent researcher in South Africa, analyzes Somalia as a collapsed state and explains the concept of the responsibility to protect. He further develops the argument that Somalia epitomizes the case in which the United Nations and the international community have the responsibility to protect the people of Somalia. This article explains that although the UN, regional organizations within Africa, and the international community at-large have harmed the situation in the past, current progress has reignited hope. Lastly Dr. Koko's work ends highlighting and posing several key questions that should be considered by those aiming to improve the safety in international waters, as well as in the specific case of Somalia.

Lennox, P. (2008, December). "Contemporary piracy off the Horn of Africa." *Canadian Defense and Foreign Affairs Institute*. Centre for Military and Strategic Studies, University of Calgary.
Dr. Lennox provides a concise, but detailed, view of both the current state of piracy in Somalia. More specifically he delves into the reasons for the piracy and determines that the piracy is caused by the ramifications of Somalia becoming a failed state. Dr. Lennox asserts as well that the situation will become worse before it becomes better, but he advocates several policies that the international community may take, stressing still that change must start with increasing stability in Somalia and creating a functioning state.

United Nations. Security Council. (2008, December 16). *The situation in Somalia* (S/RES/1851). Retrieved June 26, 2009, from <http://daccessdds.un.org/doc/UNDOC/GEN/N08/655/01/PDF/N0865501.pdf?OpenElement>.
This resolution, adopted by the Security Council during the winter of 2008, expands on previous resolutions of the Security Council. Specifically, this resolution is of importance because it authorizes action against pirates which occur on land, and it also calls for increased coordination between national navies. It is also useful as it explains the situation in Somalia and incorporates existing legal documents relevant to this issue.

United Nations. Security Council. (2009, May 26). *The situation in Somalia* (S/RES/1872). Retrieved June 26, 2009, from <http://daccessdds.un.org/doc/UNDOC/GEN/N09/349/46/PDF/N0934946.pdf?OpenElement>.

This resolution was passed by the Security Council as a resurgence of piracy in Somalia occurred. It ultimately seeks to: 1) authorize and strengthen the African Union Mission in Somalia (AMISOM) through July 2010; and 2) encourage and develop support for the Somali Transitional Federal Government. Together these two actions are important to understand because they explain and provide for ways in which the UN may help prevent further violence in this area of international water while also learning how to support developing governments better.

III. Protecting Civilians in Armed Conflict: The Case of Pakistan

Center for American Progress. (2008, November). *Advancing a New Strategy for Prosperity and Stability in Pakistan and the Region*. Retrieved August 8, 2009, from <http://www.americanprogress.org/issues/2008/11/pdf/pakistan.pdf>.

This report from the Center for American Progress discusses a wide range of issues confronting Pakistan and the region, many of which contribute to the IDP crisis. This report reveals the inadequacies of Pakistan's governance structure and the need for inclusive systems of national and local governance. Delegates should examine these problems and explore the potential for links between them and the IDP crisis.

International Crisis Group. (2009, June 2009). *Pakistan's IDP crisis: Challenges and opportunities*. Retrieved July 14, 2009, from

http://www.crisisgroup.org/library/documents/asia/south_asia/b93_pakistans_idp_crisis_challenges_and_opportunities.pdf.

This crisis group report explores the current impasse faced by the Pakistan government and Pakistan's IDPs. Through a qualitative analysis of the IDP problem, the report makes recommendations to the government of Pakistan and the international community for addressing the problems with current relief efforts as well as long term institutional development which could prevent wide scale displacement in the future. It is essential reading for a thorough understanding of the IDP problem in Pakistan.

United Nations. General Assembly. (2009, January 12). *Implementing the Responsibility to Protect: Report of the Secretary-General (A/63/677)*, Retrieved July 14, 2009, from

<http://www.unhcr.org/refworld/pdfid/4989924d2.pdf>.

This report discusses the implementation of R2P in light of current U.N. operations in this regard. It is an annual assessment of the U.N.'s work in promoting the protection of citizens to Member States. This is an excellent resource to evaluate as well because it provides many different examples of areas that need protecting and ways in which R2P has been demonstrated.

United Nations. Office for Humanitarian Affairs. (2009, June 29). *Pakistan: Situation Report No. 10*. Retrieved August 8, 2009, from

http://www.reliefweb.int/rw/rwb.nsf/retrieveattachments?openagent&shortid=MWAI-7U9369&file=Full_Report.pdf.

The latest report from the United Nations Office for Humanitarian Affairs gives a detailed account of the IDP situation in Pakistan currently. The report outlines IDP concentration, humanitarian needs, and discusses the current UN protection scheme. It will provide you with an understanding of the UN's efforts to address the IDP crisis in Pakistan.

United Nations. Security Council. (2007, October 28). *Protecting civilians in armed conflict: Report of the Secretary-General (S/2007/643)*, Retrieved July 14, 2009, from

<http://daccessdds.un.org/doc/UNDOC/GEN/N07/573/58/PDF/N0757358.pdf?OpenElement>.

This report from Secretary General Ban Ki-Moon discusses the theoretical and practical foundations of the Secretary General's focus on the protection of civilians in armed conflict. It also delves into the practical applications of the U.N.'s approach to civilian protection in armed conflict. This means that this resolution is particularly useful in its identification of specific issues of concern and detailed avenues for improvement and response.