Security Council
Background Guide 2018

Written by: María Luisa Ortega, Director; Khwaja Mohamed Khalid and Zhai Yixuan, Assistant Directors
Dear Delegates,

Welcome to the 2018 National Model United Nations China Conference (NMUN•China)! We are pleased to welcome you to the Security Council. This year’s staff are: Director María Luisa Ortega and Assistant Directors Zhai Yixuan and Khwaja Mohamed Khalid. María Luisa currently works for the Ecuadorian Civil Aviation Authority as the Director of International Relations. This will be her seventh year on NMUN staff. Yixuan is currently a junior student majoring in Material Science and Engineering in Northwestern Polytechnical University. This will be his first year on staff. Khwaja is currently a second-year student of Master of Engineering, majoring in Fluid Mechanics and his research field is Aerodynamics on Flight Vehicle Design in Northwestern Polytechnical University. This will also be his first year on staff.

The topics under discussion for the Security Council are:

1. Improving Security for Peacekeeping Personnel
2. The Situation in Ukraine

As one of the six principal organs of the United Nations, the Security Council has primary responsibility for the maintenance of international peace and security. The Council is mandated to determine the existence of threats to peace or acts of aggression and investigate any dispute that could lead to international instability. The powers of the Council include imposing economic sanctions or authorizing the use of force, recommending to the General Assembly the appointment of the Secretary-General, and the admission of new Member States.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State’s policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a Position Paper by 11:59 p.m. (Eastern) on 1 November 2018 in accordance with the guidelines in the NMUN Position Paper Guide.

Two resources, to download from the NMUN website, that serve as essential instruments in preparing for the Conference and as a reference during committee sessions are the:

1. NMUN Delegate Preparation Guide - explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not start discussion on the topics with other members of their committee until the first committee session.

2. NMUN Rules of Procedure - include the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory NMUN Conduct Expectations on the NMUN website. They include the Conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated.

If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Deputy Secretary-General, Patrick Parsons, at dsg.china@nmun.org.

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

María Luisa Ortega          Zhai Yixuan           Khwaja Mohamed Khalid
Director                   Assistant Director       Assistant Director

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Committee Overview

Introduction

After the devastating effects of two world wars, the international community decided to establish the United Nations (UN) as an intergovernmental organization that would maintain international peace and security, promote social and economic development, and advance human rights.¹ The Security Council was established as one of the UN’s six principal organs and was given primary responsibility for international peace and security.²

The Security Council held its first session on 17 January 1946 at Church House in London.³ After its first meeting, the Council relocated to its permanent residence at the UN Headquarters in New York City.⁴ At that time, five permanent members and six non-permanent members comprised the membership of the Council.⁵ However, over subsequent years, discussions regarding the structure of the Council began to take place.⁶ In 1965, the number of non-permanent members increased to ten, and although membership has not changed since, discussions regarding a change in configuration take place frequently.⁷

During the Cold War, disagreements between the United States of America and the former Soviet Union blocked the Council from being an effective institution to resolve even the simplest of issues.⁸ However, progress has taken place over the last two decades, especially in the field of peacekeeping missions, which have improved to cover a wider range of issues, including facilitating a political process, protecting human rights, and assisting with disarmament.⁹ At the same time, traditional challenges to international peace and security have shifted, forcing the Council to adapt to new scenarios, such as the challenge of addressing multiple humanitarian crises simultaneously and in different regions of the world.¹⁰ Since 2000, terrorism, extremism, and other thematic issues, rather than country-specific issues, have become priorities of the Council, as demonstrated by the adoption of a range of resolutions and the establishment of several subsidiary bodies on cross-cutting issues.¹¹

Governance, Structure, and Membership

The Security Council is the only UN entity that has the power to adopt resolutions that are binding on Member States.¹² In accordance with Article 25 of the Charter of the United Nations (1945), Member States are obliged to accept and carry out the Council’s recommendations and decisions.¹³ The Security Council also has a variety of tools to address issues on its agenda.¹⁴ For example, the President of the Security Council may issue press statements or presidential statements to communicate the position of the Council.¹⁵ Although these other tools are not legally binding, they nonetheless bring attention to important issues and compel the members of the Security Council to make recommendations and resolve conflicts.¹⁶

¹ Charter of the United Nations, 1945, Preamble.
² UN Security Council, What is the Security Council?.
³ Ibid.
⁴ Ibid.
⁶ Ibid.
⁹ UN Security Council, Structure.
¹² UN Security Council, What is the Security Council?.
¹⁴ UN Security Council, Functions and Powers.
¹⁶ Ibid., p. 15.
**Membership**

The Security Council is comprised of five permanent members and ten non-permanent members.\(^{17}\) The five permanent members of the Security Council are China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.\(^{18}\)

Every year, the General Assembly elects five of the ten non-permanent members for a two-year term.\(^{19}\) Elections for non-permanent seats on the Council can be competitive, with countries expressing interest years in advance.\(^{20}\) Countries elected to serve on the Security Council are expected to represent the interests of their region; they usually have an influence at the international level and demonstrate leadership in specific areas of interest to their foreign policy.\(^{21}\) Security Council elections for non-permanent members are held in June, six months before the term starts, which allows Member States ample time to prepare for their new role.\(^{22}\)

The ten non-permanent members represent countries from five groups: Africa, the Asia-Pacific Group, Latin America and the Caribbean, the Eastern European Group, Western European and Other.\(^{23}\) For the 2018 calendar year, the non-permanent Member States are Bolivia, Côte d’Ivoire, Equatorial Guinea, Ethiopia, Kazakhstan, Kuwait, Netherlands, Peru, Poland, and Sweden.\(^{24}\)

On 8 June 2018, the General Assembly elected Germany, Indonesia, South Africa, the Dominican Republic, and Belgium as non-permanent members of the Security Council.\(^{25}\) Their two-year terms will commence on 1 January 2019, and they will replace outgoing Bolivia, Ethiopia, Kazakhstan, Netherlands, and Sweden.\(^{26}\)

**Presidency**

Each member of the Security Council holds the presidency of the Council for one month, rotating according to alphabetical order.\(^{27}\) Security Council meetings can be convened by the President upon the request of any Member State.\(^{28}\) Under Article 35 of the Charter, the President shall call a meeting if a dispute or situation requires the Council’s attention.\(^{29}\) According to Rule 6 of the Provisional Rules of Procedure, all concerns that are brought to the attention of the Secretary-General are drafted in an agenda that is approved by the President of the Security Council.\(^{30}\)

**Participation**

Any Member State of the UN may attend the Council’s meetings upon the invitation of the Council.\(^{31}\) Member States are invited if the Security Council is discussing an issue that directly concerns the interests of the Member State.\(^{32}\) Invited Member States do not have the right to vote, but are allowed to submit proposals and draft resolutions.\(^{33}\) Furthermore, those Member States can inform the Council about a current crisis in their region.\(^{34}\) However, such proposals may be put to a vote only at the request of a member of the Council.\(^{35}\)

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\(^{17}\) UN Security Council, *Current members*.

\(^{18}\) Ibid.

\(^{19}\) Ibid.

\(^{20}\) UN DPI, *Ahead of Security Council elections, General Assembly President explains how a country can get a non-permanent seat*, 2016.


\(^{23}\) UN General Assembly, *Rules of procedure*.

\(^{24}\) UN Security Council, *Current members*.

\(^{25}\) UN DPI, *Germany, Indonesia, South Africa, Dominican Republic, Belgium, elected to Security Council*, 2018.

\(^{26}\) Ibid.

\(^{27}\) UN Security Council, *Provisional Rules of Procedure (S/96/Rev.7)*.


\(^{29}\) *Charter of the United Nations*, 1945, Art. 35.

\(^{30}\) UN Security Council, *Provisional Rules of Procedure (S/96/Rev.7)*.

\(^{31}\) Ibid.


\(^{33}\) UN Security Council, *Provisional Rules of Procedure (S/96/Rev.7)*.

\(^{34}\) Ibid.

\(^{35}\) Ibid.
Subsidiary Organs

The Security Council has numerous subsidiary bodies established under Article 29 of the Charter, including the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), sanctions committees, and ad hoc committees such as the Ad Hoc Sub-Committee on Namibia. The Peacebuilding Commission (PBC) is an advisory subsidiary body that reports jointly to the General Assembly and the Security Council. Additionally, Security Council Member States participate in various working groups that discuss topics of concern to the Security Council. These working groups consist of some or all of the Security Council Member States and focus on regional and thematic issues, as well as improving the working methods of the Security Council itself. The Security Council is also responsible for determining if, when, and where a peacekeeping operation is needed. A peacekeeping operation is created through an adopted Security Council resolution, and the Security Council monitors the operation by holding regular meetings and reviewing reports issued by the Secretary-General.

Voting

Every Member State of the Security Council has one vote. Votes on all matters require a majority of nine Member States. However, if one of the five permanent members of the Security Council votes “no” on a matter of substance, such as a draft resolution, the draft resolution does not pass. Despite the existence of this veto power, the Council has adopted many resolutions by consensus since the end of the Cold War and has been divided only on a very limited number of issues, a prominent example being the case of Syria.

Mandate, Functions, and Powers

The mandate of the Security Council is to maintain international peace and security as specified in the Charter of the United Nations. Chapters VI and VII of the Charter specifically concern the Security Council and the range of actions that can be taken when settling disputes. Chapter VI aims to achieve resolution of disputes by peaceful means, whereas Chapter VII explores further actions that can be taken. Any Member State is able to report a dispute to the Security Council; the role of the Council is to determine the severity of the dispute brought before the body and the impact of the dispute internationally. The Security Council is responsible for making recommendations to broker peace that take into considerations the previously attempted measures by the parties involved. Under Chapter VII, the Security Council has the authority to implement provisional measures aimed to deescalate the situation. If the provisional measures are ignored or are unsuccessful, the Security Council may decide to call upon military forces to act on behalf of the UN. Non-military actions that can be implemented include blockades or economic interruptions. In aggregate, the Charter provides the Security Council with the following set of powers to fulfill its mandate.

• **Sanctions:** Pursuant to Article 41 of the Charter, the Council can call on its members to apply economic sanctions and other measures not involving the use of force to prevent or end violence. These include

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36 UN Security Council, *Structure*.
37 Ibid.
39 Ibid.
41 Ibid.
42 *Charter of the United Nations*, 1945, Art. 27.
43 Ibid.
47 Ibid.
48 Ibid.
49 Ibid., Art. 34.
50 Ibid., Art. 36.
51 Ibid., Art. 40.
52 Ibid., Art. 41.
53 Ibid.
economic sanctions, financial penalties and restrictions, travel bans, severance of diplomatic relations, and blockades, among others.\textsuperscript{54} It may further mandate arms embargos, enforce disarmament, or initiate proceedings in the international justice system.\textsuperscript{55}

- **Diplomatic Tools:** The Council has a mandate to investigate any dispute or situation that might lead to aggressions between states or other non-state groups or within states’ national territories.\textsuperscript{56} In order to do so, it may “recommend methods of adjusting such disputes or the terms of settlement; formulate plans for the establishment of a system to regulate armaments; determine the existence of a threat to the peace or act of aggression and recommend what action should be taken.”\textsuperscript{57}

- **Military Action:** The Council may take military action against a state or other entity threatening international peace and security and may further decide on the deployment of troops or observers.\textsuperscript{58} The Council may decide to initiate peacekeeping operations; it may also modify existing peacekeeping operations through the extension or amendment of their mandates and the additional deployment or withdrawal of troops.\textsuperscript{59}

- **Partnerships:** The Council cooperates with numerous international and regional organizations, as well as non-governmental organizations (NGOs), to implement its decisions.\textsuperscript{60} The Council works closely with related organizations of the UN, such as the Organisation for the Prohibition of Chemical Weapons and the International Atomic Energy Agency. Partnerships with independent intergovernmental organizations, such as the North Atlantic Treaty Organization and the African Union, are also of paramount importance for addressing a broad range of issues including terrorism, disarmament, nuclear nonproliferation, and extreme violence from non-state actors, among others.\textsuperscript{61}

**Recent Sessions and Current Priorities**

In 2017, the Council held 282 public meetings, adopted 61 resolutions, and issued 27 presidential statements.\textsuperscript{62} Consensus prevailed among Council members, particularly with respect to strengthening sanctions against the Democratic People’s Republic of Korea (DPRK) in response to ongoing nuclear tests.\textsuperscript{63} However, disagreement arose in relation to the Middle East: the Russian Federation vetoed multiple draft resolutions to prevent further investigation into chemical weapons in Syria, and the United States of America vetoed a draft resolution calling on states to refrain from establishing diplomatic missions in Jerusalem.\textsuperscript{64} Importantly, the Council held its first thematic debate on human rights, peace, and security on 18 April 2017, at which Secretary-General António Guterres emphasized that the Council “has a major role to play” in upholding human rights to prevent conflict and promote sustainable peace and reconciliation.\textsuperscript{65}

In 2018, the Council has thus far focused primarily on country- and region-specific issues.\textsuperscript{66} The Council has been surprised by a sudden increase in diplomatic activity involving the DPRK, including individual meetings between DPRK leader Kim Jong-Un and leaders from the Republic of Korea, China, and the United States of America, as well as what appears to be the DPRK taking initial steps to dismantle nuclear facilities.\textsuperscript{67} In light of these developments, differing opinions have emerged among Council members on whether the Council should depart

\textsuperscript{56} UN Security Council, *Functions and Powers*.
\textsuperscript{57} Charter of the United Nations, 1945.
\textsuperscript{58} Ibid.
\textsuperscript{59} UN Peacekeeping, *Forming a new operation*.
\textsuperscript{60} UN Security Council, *Repertoire of the practice of the Security Council*.
\textsuperscript{63} Ibid.
\textsuperscript{64} Ibid.
from the punitive measures it has continually enacted against the DPRK in favor of more diplomatic strategies. 68 The Council has continued to enforce existing sanctions, and it has extended until 24 April 2019 the mandate of the Panel of Experts supporting the Sanctions Committee established by resolution 1718 (2006) concerning the DPRK. 69 Other recent Council actions to address country- and region-specific issues include extending sanctions on South Sudan and the Democratic Republic of the Congo and renewing the mandates of the UN Multidimensional Integrated Stabilization Mission in Mali, the African Union-UN Hybrid Operation in Darfur, and the UN Peacekeeping Force in Cyprus. 70

The Council has also addressed broader thematic issues, including by holding a high-level open debate and adopting a resolution on children and armed conflict on 9 July 2018. 71 The resolution expressed the Council’s commitment to addressing the impact of armed conflict on children; urged the mainstreaming of child protection throughout all stages of conflict prevention, conflict, and post-conflict processes; and called upon the Special Representative of the Secretary-General for Children in Armed Conflict to compile a list of best practices in this regard. 72

Further thematic issues before the Council in 2018 have involved non-traditional threats to peace and security, most notably demonstrated by a debate on climate change and security held on 11 July 2018. 73 Speaking before the Council, Deputy Secretary-General Amina Mohammad remarked that “climate change is inextricably linked to some of the most pressing security challenges of our time,” and that “fragile countries are in danger of becoming stuck in a cycle of conflict and climate disaster.” 74 She and other speakers urged the Council to take further action, given that at present, the Council focuses only on “the symptoms of climate change but does not address its underlying causes.” 75 Although all Council members acknowledged the severe threats posed by climate change and its effects, they exhibited disagreement over the extent to which the Council is an appropriate forum for tackling these issues. 76 While some members advocated for greater Council engagement, others expressed concerns regarding undue expansion of the Council’s mandate and encroachment on the work of other UN bodies. 77 The Council’s future role in addressing climate change thus remains uncertain. 78

Conclusion

As the international community faces a growing number of asymmetrical and non-traditional threats to international peace and security, the Security Council has evolved by devising new working methods and holding broader, more open discussions. 79 Nonetheless, the persistence of ongoing threats indicates significant challenges to the Security Council’s ability to guarantee peace and security in all regions of the world. 80 These situations also represent the systemic and political divides between Council members, particularly with respect to the five permanent members. 81

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77 UN DPI, Addressing Security Council, Pacific Island President Calls Climate Change Defining Issue of Next Century, Calls for Special Representative on Issue (SC/13417), 2018.
79 UN Security Council, Structure; UN Security Council, 1540 Committee.
However, as the Security Council represents the only body within the UN that has the power to adopt binding resolutions, it is still the entity of utmost importance for the maintenance of international peace and security.\textsuperscript{82}

\section*{Annotated Bibliography}


\textit{As the fundamental principles of the Security Council are set out in the Charter of the UN, this document should be the first resource to consider. Article 23, which sets the membership structure and Articles 23 to 26, which discuss its basic functions and powers, are of particular importance for understanding both the structure and function of the Security Council. In addition, Articles 27 to 32 explain the Council’s voting procedure and its overall structure. The Charter can be particularly helpful for delegates in understanding the powers and limitations of the body. Delegates will find Chapters VI and VII most helpful when researching the mandate of the Security Council, and also while at the conference simulating the body.}


\textit{The Council on Foreign Relations provides a comprehensive introduction into the structure and work of the Security Council and therefore constitutes a good starting point for more detailed research. The website discusses the Council’s powers and possibilities in taking coercive actions and addresses broadly discussed issues as criticism to the Security Council’s structure as well as possible reforms. In addition, the website contains links on further resources on the Security Council and recent international security issues as, for example, the Global Governance Monitor, which evaluates the international regime for armed conflict.}


\textit{This volume provides readers with a very detailed overview of the Security Council and its past and present challenges. Written at a high academic level, this book touches upon many of the Council’s themes, institutions, and operations, while also explaining the Council’s structure in depth. As it discusses major operations on four continents, the document can be a useful tool for detailed analysis on various international security crises.}


\textit{While giving a brief overview of the history, structure, mandate and perspective of the UN in general, this volume also includes a comprehensive section on the Security Council, as well as a separate chapter on peacekeeping and peacebuilding. The book offers a succinct explanation of the Council’s political and operational constraints, including the veto power principle. It further provides delegates with a general overview of the importance of the Security Council for international security from its creation until now. Due to its comprehensive language, this book may serve delegates as a first starting point for further research on the Security Council as well as on international power relations.}


\textit{The Security Council Report website provides monthly forecasts that describe the Security Council’s meetings and program of work as expected for the upcoming month and provide detailed analysis organized by topic. The website is updated regularly to reflect the current agenda of the Security Council. On this website, delegates will also find comprehensive information on country, regional, and thematic issues addressed by the Council and on the Council’s working methods, membership, and procedures.}

\textsuperscript{82} Charter of the United Nations, 1945, Art. 24.

This website gives a general overview of the Security Council’s history, mandate, and functions and powers. It should be considered one of the most important resources and a foundation for delegates’ further research, since it provides detailed information on how the Security Council works in practice. The website contains the body’s provisional rules of procedure and a section on frequently asked questions. The latter is particularly useful when it comes to understanding the Council’s functions and powers. Delegates will find on this website detailed information about the Council’s recent sessions as well as other notable outputs.

Bibliography


I. Improving Security for Peacekeeping Personnel

“The blue helmet and United Nations flag no longer offer ‘natural’ protection.”

Introduction

In 1948, the United Nations (UN) Security Council authorized the deployment of the first UN military observers to the Middle East, launching peacekeeping operations on a global scale. Since then, there have been a total of 71 peacekeeping missions operating worldwide and offering support and safe shelter to millions of civilians in need. Guided by three basic principles: consent of the parties, impartiality, and non-use of force except in self-defense and defense of the mandate, UN peacekeeping operations have long served as one of the most effective tools for the UN to fulfill its obligation to maintain international peace and security, as stipulated in Article 1 of the Charter of the United Nations (1946).

Peacekeeping is an international activity with high risks. Many factors, including acts of violence, severely jeopardize the security of peacekeeping personnel and casualties can occur even if the necessary preventive measures are put in place. Modern peacekeeping missions now operate in an increasingly complex and risky global environment. Armed conflicts, criminality, civil disorder, and transnational terrorism pose growing threats to peacekeeping personnel. Most missions, accounting for nearly 70% of peacekeeping personnel, operate in high-risk conflict regions where local and regional vulnerabilities including ethnic, religious, socioeconomic, and political tensions increase the likelihood of violence. The UN Department of Peacekeeping Operations (DPKO) has reported that from the first peacekeeping operation until 2015, more than 3,300 personnel lost their lives in service. Only two years later, in 2017, the death toll increased to more than 3,500, with 943 of them due to acts of violence. This has drawn the attention of the international community and triggered the establishment of the Improving Security Peacekeeping Project, a field-focused initiative of the Secretariat to improve the security of UN peacekeeping personnel. From 2015 to 2017, hostilities towards peacekeeping personnel showed an increasing trend of 100% each year. Under the current international security scenario, the cessation of UN peacekeeping operations is unlikely to happen, which means that the UN and Troop and Police Contributing Countries (TCCs and PCCs) need to face the challenging task of improving the security of UN peacekeeping personnel.

International and Regional Framework

Concerned by the growing number of causalities resulting from attacks against UN and associated personnel, on 9 December 1994 the Office of Legal Affairs Codification Division of the International Law Commission established the Convention on the Safety of United Nations and Associated Personnel. The convention aims to guarantee the safety of UN peacekeeping personnel by highlighting that the effectiveness and safety of UN operations are better...
achieved with the full cooperation of the Member State in which the UN peacekeeping mission is deployed, known as the host state.\textsuperscript{98}

On 19 December 2000, the General Assembly adopted resolution 55/175 on the “Safety and security of humanitarian personnel and protection of United Nations personnel.”\textsuperscript{99} In that resolution, Member States condemned any act aimed at obstructing UN personnel from performing their duties or being subjected to menace or physical attacks.\textsuperscript{100} It also urged all parties involved in armed conflicts, in compliance with the provisions of the 1949 Geneva Conventions, “to ensure the safety and protection of UN personnel, to refrain from abducting or detaining them in violation of their immunity under relevant conventions and applicable international humanitarian law.”\textsuperscript{101} Furthermore, General Assembly resolution 60/1 of 16 September 2005 on “2005 World Summit Outcome” highlighted the need for Member States to negotiate the scope of the legal protection of UN and associated personnel, and it called upon all Member States to sign the \textit{Convention on the Safety of United Nations and Associated Personnel}.\textsuperscript{102} Recalling this convention, on 8 December 2005, the General Assembly adopted resolution 60/42 on “Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel,” in which Member States agreed upon the implementation of specific applications, such as the extension of the scope of the protection of UN personnel and peacekeeping operations.\textsuperscript{103}

The UN Security Council has undertaken several efforts to ensure the cooperation between the host state and UN peacekeepers in conflict zones.\textsuperscript{104} On 29 September 1993, the Security Council urged host states to take steps to ensure the safety and security of UN peacekeeping personnel through Security Council resolution 868.\textsuperscript{105} In 1999, the Council adopted resolution 1265 on the “Protection of Civilians in Armed Conflict,” which emphasized the importance of the entry in force of the \textit{Convention on the Safety of United Nations and Associated Personnel}, and the need to hold attackers accountable for the use of force against UN and associated personnel.\textsuperscript{106}

\textbf{Role of the International System}

In order analyze the peacekeeping system and make comprehensive suggestions for improving peacekeeping operations, in 2000 UN Secretary-General Kofi Annan established the Panel on United Nations Peace Operations.\textsuperscript{107} The result of the panel, the Brahimi Report, emphasized that peacekeeping operations should be equipped with proper resources, follow current peacekeeping mandates to avoid major casualties, and ensure the security of UN personnel.\textsuperscript{108} This report addressed the importance of well-trained and well-equipped military staff and civilian police.\textsuperscript{109} It therefore recommended the establishment of a supervision team to start a training program for peacekeepers and to verify the existence of the necessary equipment for peacekeeping operations.\textsuperscript{110} The report also suggested the improvement of the missions’ planning processes by including full-time officers in charge of drafting political and military analysis for missions’ deployment.\textsuperscript{111} Moreover, the Brahimi Report encouraged the involvement of peacekeeping officers in mission planning to learn from their field experience and identify flaws.\textsuperscript{112}

\begin{itemize}
\item \textsuperscript{99}UN General Assembly, \textit{Safety and security of humanitarian personnel and protection of United Nations personnel (A/RES/55/175)}, 2001, p. 3.
\item \textsuperscript{100}Ibid., p. 4.
\item \textsuperscript{101}Ibid., p. 2.
\item \textsuperscript{102}UN General Assembly, 2005 \textit{World Summit Outcome (A/RES/60/1)}, 2005, p. 36.
\item \textsuperscript{105}Ibid., p. 2.
\item \textsuperscript{106}UN Security Council, \textit{Resolution 1265 (S/RES/1265 (1999))}, 1999, p. 3.
\item \textsuperscript{108}Ibid., p. 54.
\item \textsuperscript{109}Ibid., pp. 1-8.
\item \textsuperscript{110}Ibid., p. 54.
\item \textsuperscript{111}Ibid., p. 34.
\item \textsuperscript{112}Ibid.
\end{itemize}
The UN Department of Safety and Security (DSS) established the United Nations Security Management System (UNSMS) and is responsible for providing support to UNSMS including the development of leadership strategies, and the enhancement of decision-making processes for policy and operational issues. DSS closely cooperates with the Office of the United Nations Security Coordinator to deliver coordination for crisis response and promotes cooperation with host states in security training and security learning programs, reinforcing their capacity to fulfill their obligations as they are primarily responsible for the security of peacekeeping personnel. In 2011, the UNSMS developed the Security Level System framework. This framework assigns different levels of security situations to UN operations’ areas, ranging from 1 (minimal) to 6 (extreme). The security analysis delivered by the Security Level System assists DSS in improving peacekeeping operations’ safety and stability. As a result of the information provided by this framework, DSS has recommended, for instance, that all peacekeeping missions’ areas have crisis management teams, information flowcharts, disaster and casualty incident evacuation plans, and information technology disaster recovery plans.

As the principal UN organ responsible for maintaining international peace and security, the Security Council is responsible for authorizing DPKO to plan, prepare, and conduct peacekeeping missions. In 2009, A New Partnership Agenda: Charting a New Horizon for United Nations Peacekeeping, was released by DPKO and the Department of Field Support (DFS). The New Partnership Agenda is a guideline that provides information about the future direction of UN peacekeeping operations and the many ways in which this important tool can continue to serve the international community in achieving peace and security. In the light of this document, the New Horizon Initiative was developed to bolster the effectiveness of UN peacekeeping operations and to reinforce partnerships among its many supporters. This initiative put forward four major developments for UN peacekeeping missions: policy and capacity development, field support, planning, and oversight. These developments aimed at strengthening the security and safety of peacekeeping personnel by improving the capacity of peacekeepers, enhancing pre-operation intelligence, and reporting on military and political analysis to improve the implementation of peacekeeping missions.

In 2014, UN Secretary-General Ban Ki-moon established the High-level Independent Panel on UN Peacekeeping Operations to conduct a comprehensive assessment of UN peacekeeping operations and assist them in adapting to a changing security environment. The High-level Independent Panel recognized that the current international security scenario is risky, complex, and in constant change. It recommended implementation of a mechanism to confirm that all training material based on specific missions and developed by the UN was fully delivered. High quality leadership ensures low-risk orders are given during field operations and effective training guarantees the ability to confront emergency situations safely. Likewise, high quality pre-deployment training plays a vital role in minimizing fatalities as it can improve the skills of appointed personnel. Pre-deployment trainings must be organized according to geographical consequences and should include the roles of command and leadership. It is

114 Ibid., p. 16.
116 Ibid.
117 Ibid., p. 17
120 Ibid.
121 Ibid., p. 4.
122 Ibid., p. 19.
125 Ibid., p. 40.
126 Ibid., pp. 40-41.
127 UN DPKO & UN DFS, Peacekeeping Resource Hub, 2018.
128 UN DPKO & UN DFS, Training: A Strategic Investment in UN Peacekeeping, p. 34
important to execute regular drills to put into place well-established action plans that correspond to the geographical consequences of the conflict zone.\textsuperscript{130}

More recently, DPKO and DFS launched the Improving Security Peacekeeping Project comprised of two phases.\textsuperscript{131} Phase 1 reports on peacekeeping fatalities and injuries due to hostile acts and provides recommendations for future peacekeeping missions.\textsuperscript{132} Following the submission of this report, Phase 2 consists of high-impact projects to implement the recommendations addressed in Phase 1.\textsuperscript{133} Based on the recommendations outlined in Phase 1, DPKO developed an action plan focused on changing mindsets, improving capacity, achieving a “threat sensitive mission footprint,” and enhancing accountability from the field level to the headquarter level.\textsuperscript{134} Both changing mindsets and improving capacity ensure well-trained peacekeeping personnel that are fully-prepared for peacekeeping operations.\textsuperscript{135} Additionally, a “threat sensitive mission footprint” minimizes the possibility of missions’ exposure to threat and leads to the prevention of fatalities and injuries.\textsuperscript{136} Lastly, enhancing accountability guarantees that personnel and staff can live up to their responsibility of minimizing casualties.\textsuperscript{137}

\textbf{Prevention}

Threat mitigation is one key factor when addressing prevention.\textsuperscript{138} Former UN peacekeeping officer Carlos Alberto dos Santos Cruz states that vehicle movements such as convoys, patrols, and escorts show the highest fatalities numbers (97) from 2013 to 2017.\textsuperscript{139} Long, slow-moving convoys increase the risks of exposure and potential ambushes, especially during long-distance missions.\textsuperscript{140} In response to this, the Combat Convoy Battalion has been deployed as a special unit to ensure the safety of convoy missions.\textsuperscript{141} Albeit its best efforts, the battalion has failed to provide immediate relief to the current situation due to insufficient human resources.\textsuperscript{142} Cruz’s report also highlights that, after guns, improvised explosive devices (IEDs) are the second most dangerous weapons threatening the security of peacekeeping personnel.\textsuperscript{143} Therefore, the UN Mine Actions Service (UNMAS) has put in place several IED mitigation measures, such as the deployment of Search and Deter Teams that are equipped with detection devices and trained personnel to detect IEDs and avoid explosions.\textsuperscript{144}

Another aspect under consideration is intelligence, as it largely contributes to threat mitigation.\textsuperscript{145} Peacekeepers conduct their operations with minimal information about the threats they might face.\textsuperscript{146} This increases the vulnerability of peacekeeping personnel.\textsuperscript{147} Additionally, the intelligence gathered by peacekeeping personnel during field missions is not taken into account when executing actions to decrease the risks of potential attacks.\textsuperscript{148} The continued emphasis on using internet technology to collect intelligence has resulted in a low-prevalence of the intelligence system in less developed Member States where internet access is limited or not available at all.\textsuperscript{149} As a result, DPKO and DFS approved the Peacekeeping Intelligence Policy in 20017 to guide UN peacekeeping

\begin{thebibliography}{9}
\bibitem{130} Cruz et al., \textit{Improving Security of United Nations Peacekeepers}, 2017, p. 6.
\bibitem{131} Ibid., p. 2.
\bibitem{132} Ibid., p. 1.
\bibitem{134} UN DPKO & UN DFS, \textit{Summary of the Action Plan to Implement the Report on Improving Security of Peacekeepers}.
\bibitem{135} Cruz et al., \textit{Improving Security of United Nations Peacekeepers}, 2017, p. 10.
\bibitem{136} Ibid.
\bibitem{137} Ibid., p. 4.
\bibitem{138} Ibid., p. 25.
\bibitem{139} Ibid., p. 7.
\bibitem{140} Ibid., p. 25.
\bibitem{141} Ibid., pp. 25-26.
\bibitem{142} Ibid.
\bibitem{146} UN DPKO & UN DFS, \textit{Policy: Peacekeeping Intelligence}, 2017.
\bibitem{147} Cruz et al., \textit{Improving Security of United Nations Peacekeepers}, 2017, p. 28.
\bibitem{148} Ibid.
\bibitem{149} Ibid.
operations to acquire, analyze, and utilize peacekeeping intelligence to support missions and reduce fatalities.\textsuperscript{150} Nevertheless, no concrete improvements have resulted from this initiative.\textsuperscript{151}

Other serious concerns of the international community when addressing prevention are accountability and impunity, as both are relevant factors that encourage reiterated acts of violence against peacekeeping personnel.\textsuperscript{152} According to Cruz’s report, the lack of deterrence, meaning that under the current situation only few suspects who are responsible for conducting hostile acts against peacekeeping personnel are put under arrest, has resulted in growing violence against peacekeepers.\textsuperscript{153} Although, the International Criminal Court (ICC) and the UN Security Council share core values, such as peace and justice, both organizations utilize different mechanisms to advance them.\textsuperscript{154} For this reason, in-depth cooperation between the ICC and UN peacekeeping operations is currently lacking.\textsuperscript{155} Aware of the latter, the President of the ICC, Judge Silvia Fernández de Garmendi, has showed a willingness to change the situation by publicly stating that intentional attacks on peacekeeping personnel are recognized as war crimes under Article 5 of the \textit{Rome Statute of the International Criminal Court} (1998).\textsuperscript{156} Garmendi also underlined the importance of agreeing on specific legal protection to peacekeepers under the Rome Statute.\textsuperscript{157}

\textbf{Conclusion}

“Our peacekeepers are vulnerable, and they are targeted for attack,” said UN Secretary-General Antonio Guterres, when delivering a speech during a Security Council session on 28 March 2018.\textsuperscript{158} Mr. Guterres’ statement succinctly reflects the current situation of modern peacekeeping operations:: their personnel are suffering from increasingly hostile acts and their security is no longer guaranteed.\textsuperscript{159} In an increasingly risky international environment, improving the security of peacekeeping personnel would also guarantee the successful implementation of their missions.\textsuperscript{160} However, the lack of threat prevention measures and the deficiency in threat response capacity have resulted in the spike of fatalities in recent years.\textsuperscript{161} Albeit the numerous efforts undertaken by several UN agencies and other international organizations to strengthen the capacity of both host states and peacekeepers, the lack of financial and human resources remain obstacles to achieve this goal.\textsuperscript{162} While the severity of the situation has been widely recognized by the UN system, more in-depth research concerning actions to improve the security of peacekeeping personnel should be conducted.\textsuperscript{163}

\textbf{Further Research}

In determining how Security Council can coordinate the actions of the international community to further address the issue and reduce casualties, delegates should consider the following questions: What are the key factors jeopardizing the implementation of previous UN actions towards improving the security of UN personnel? How can the capacity of peacekeeping personnel to prevent violent attacks be effectively improved? Can the efforts of the UN system, Member States, and other organizations be more efficiently integrated? What can the Security Council do to improve the current situation of UN peacekeeping personnel? Are the current security frameworks enough to ensure

\textsuperscript{150} UN DPKO & UN DFS, \textit{Policy: Peacekeeping Intelligence}, 2017.
\textsuperscript{151} Cruz et al., \textit{Improving Security of United Nations Peacekeepers}, 2017, p. 28.
\textsuperscript{152} Ibid., p. 21.
\textsuperscript{154} ICC, \textit{Speech by President of the International Criminal Court Judge Silvia Fernández de Garmendi on New Models of Peacekeeping: Security and Protection of Human Rights. The Role of the UN and Regional Organizations on 12 May 2017, in Rome.}, 2017, p. 3.
\textsuperscript{155} Ibid.
\textsuperscript{156} Ibid.
\textsuperscript{157} Ibid., p. 5; \textit{Rome Statute of the International Criminal Court}, 1998, Art. 5.
\textsuperscript{158} UN DPI, \textit{Unrealistic demands on UN peacekeeping costing lives and credibility - Guterres}, 2018.
\textsuperscript{159} Ibid.
\textsuperscript{160} Cruz et al., \textit{Improving Security of United Nations Peacekeepers}, 2017, p. 34.
\textsuperscript{162} High-Level Independent Panel on UN Peace Operations, \textit{Uniting Our Strengths for Peace - Politics, Partnership and People.}, 2015, p. 93.
the security of UN and associated personnel? What role does the private security sector play in improving the safety of UN peacekeepers?

**Annotated Bibliography**


This is a Secretary-General directed report, which focuses on possible solutions to improve the security of peacekeeping personnel. Former peacekeeping officer, Carlos Alberto dos Santos Cruz, was authorized to conduct research based on internal data, and interviews to peacekeepers all over the world. The report analyzes the cause of rising fatalities, and based on the interviews, conclude that there are four major aspects where the UN should implement changes: changing mindset, improving capacity, achieving a threat sensitive mission footprint, and enhancing accountability. Meanwhile, this report also provides short and long-term recommendations based on the current menaces to the security of peacekeeping personnel. This source will assist delegates in analyzing potential solutions to the security situation of UN missions, and new mechanisms to address the issue.


This report was elaborated by the High-level Independent Panel on Peacekeeping Operations on 16 June 2015, emphasizing on several peacekeeping issues ranging from politics to partnership. The report highlights the fact that UN peacekeeping missions work in a changing landscape, and therefore the UN should adapt to these changes. Also, this report reviews the mandate of peacekeeping forces and underlines the importance of counter-terrorism missions since terrorism is now affecting both international and regional peace and security. The document is an important source for delegates to obtain a general overview of the problems currently faced by peacekeepers.


The Action Plan to Implement the Report on Improving Security of Peacekeepers is the result of the report on Improving the Security of Peacekeeping Personnel, conducted by former peacekeeping officer, Carlos Alberto dos Santos Cruz. The action plan shows specific approaches to field level and headquarter level on mechanisms to enhance the safety of peacekeeping personnel in the four aspects mentioned above: changing mindsets, improving capacity, achieving a “threat sensitive mission footprint” and enhancing accountability. This document also provides specific measures for in-depth coordination between UN and TCCs and PCCs to ensure the security of peacekeeping personnel.


This revised action plan is based on the first draft of the Action Plan to Implement the Report on Improving Security of Peacekeepers, in response to the recommendations outlined in the Santos Cruz’s report. The revised plan includes more suggestions and insights of current peacekeepers from missions in Central African Republic, Mali, Democratic Republic of the Congo, Darfur and South Sudan. This version of the action plan covers details regarding the peacekeeping intelligence policy and includes a gender dimension in the process of improving security of peacekeepers.

The Convention describes various aspects of UN peacekeeping operations including its duties, implementation of laws and legislations, criminal offenses against the personnel, prosecution, and suggestions for State Parties to further guarantee the security of peacekeepers. The treaty provides a perspective from which the United Nations urges Member States’ legislative support to peacekeeping missions. The treaty will serve delegates as an entry guide to UN peacekeeping operations and to the measures undertaken by the international community to guarantee the missions’ safety.


Following the report A New Partnership Agenda: Charting a New Horizon for United Nations Peacekeeping, the Department of Peacekeeping Operations and Field Support initiated a foundation program to reinforce the partnership between UN peacekeeping missions and its supporters. This document summarizes the current steps towards strengthening security for peacekeeping personnel, and addresses the importance of capacity building and planning, reflecting the first efforts of the UN in improving the security of peacekeeping operations.

Bibliography


II. The Situation in Ukraine

Introduction

In November 2013, thousands of protesters took to the streets of Ukraine’s capital city of Kiev as a result of President Viktor Yanukovych’s decision to suspend talks for a political and trade agreement with the European Union (EU) in the face of Russian opposition. The protests underscored the divide between Yanukovych’s political base in the pro-Russian east of Ukraine and pro-European supporters in the west of the country. Violence escalated for months, and an armed confrontation between government forces and protesters took place in February 2014 in Kiev’s Maidan Square, leaving dozens of people dead. Two days later, President Yanukovych fled the country. Less than a month later, Russian President Vladimir Putin sent military troops to Crimea, a region in southern Ukraine with strong ties to Russia. After taking control of Crimea, claiming the need to safeguard the rights of Russians in eastern Ukraine, the Russian government annexed the Crimean Peninsula in a controversial referendum. This deepened Ukrainians’ historical ethnic divisions, and in May 2014, pro-Russian forces in the Donetsk and Luhansk regions of the country declared independence from Ukraine. Following that, Petro Poroshenko, one of the country’s wealthiest business magnates, declared victory in Ukraine’s presidential elections and signed the EU Association Agreement that Yanukovych refused to back in 2013. The new Ukrainian president warned the Russian government that Ukraine’s resolve to increase political and economic ties with the EU would continue.

After weeks of fighting between Ukrainian government forces and pro-Russians separatist groups, in July 2014 a Malaysian Airlines flight was shot down by a missile in eastern Ukraine, killing 298 people. Months after that attack, Donetsk International Airport fell into rebel hands, establishing rebel control over the Donetsk and Luhansk regions. By March 2016, the United Nations (UN) reported that nearly 9,500 people had been killed and more than 22,100 injured, including Ukrainian military forces, members of rebel groups, and civilians. Since then, fighting has continued in eastern Ukraine at varying intensities with both sides nominally adhering to an unsteady ceasefire.

International and Regional Framework

Following months of armed confrontation in eastern Ukraine, a peace deal, known as the Minsk Protocol (Minsk I), was signed on 5 September 2014 between representatives of Ukraine, the Russian Federation, the self-declared Donetsk People’s Republic, and the Luhansk People’s Republic. After extensive talks in Minsk, the protocol was established under the auspices of the Organization for Security and Cooperation in Europe (OSCE) and sought an immediate ceasefire in the Donbass region of eastern Ukraine. While the agreement significantly reduced violence and fighting in the conflict zone during the first few weeks of its implementation, the ceasefire soon broke down and collapsed in December 2014. By January 2015, full-scale armed confrontation had started again. In response to the collapse of the Minsk Protocol, the governments of Ukraine, the Russian Federation, France, and Germany met in Minsk in an effort to revive the peace agreement. As a result, on 11 February 2015 The Package of measures

164 Global Conflict Tracker, Conflict in Ukraine, 2018.
165 Thompson, Ukraine Everything you need to know about how we got here, CNN, 2017.
166 Ibid.
167 Global Conflict Tracker, Conflict in Ukraine, 2018.
168 Thompson, Ukraine Everything you need to know about how we got here, CNN, 2017.
169 Global Conflict Tracker, Conflict in Ukraine, 2018.
170 Ibid.
171 Thompson, Ukraine Everything you need to know about how we got here, CNN, 2017.
172 Ibid.
173 Ibid.
174 Ibid.
175 Ibid.
176 Everything you wanted to know about the Minsk peace deal, but were afraid to ask, Euromaidan Press, 2018.
177 Ibid.
178 Ibid.
179 What are the Minsk Agreements, The Economist, 2016.
180 Everything you wanted to know about the Minsk peace deal, but were afraid to ask, Euromaidan Press, 2018.
for the Implementation of the Minsk agreements (Minsk II) was signed, offering a comprehensive roadmap for
resolving the conflict.\textsuperscript{181} Minsk II established a 13-point plan that encompassed the following actions: immediate
ceasefire and withdrawal of heavy weapons to be monitored by the OSCE; safe access, storage, distribution, and
delivery of humanitarian aid; local elections; pardon and amnesty for fighters; and an “all for all” hostage release
and exchange plan.\textsuperscript{182} Minsk II also called for full socio-economic reintegration of the rebel-held territories,
restoration of state border control to the Ukrainian government, withdraw of all “foreign armed formations” from
Ukrainian territory, and constitutional reform in Ukraine.\textsuperscript{183} However, after four years of ongoing conflict, the Minsk
Agreements have failed to produce any significant results.\textsuperscript{184} In fact, “not a single provision of the Minks
Agreements has been implemented 100%.”\textsuperscript{185} Heavy weapons have not been pulled out, rebel groups constantly
hamper OSCE observers, and the ceasefire is violated every day.\textsuperscript{186}

In the face of escalating violence, the Security Council adopted resolution 2202 (2015), endorsing Minsk II and
calling for all parties to the conflict to fully comply with the agreements.\textsuperscript{187} Prior to this, in July 2014, the Council
had already addressed the conflict in Ukraine by adopting resolution 2166 and condemning the downing of a
Malaysia Airlines flight in rebel-held territory in eastern Ukraine.\textsuperscript{188} Similarly, the General Assembly, in its sixty-
eight plenary meeting, adopted resolution 68/262 (2014) on the “Territorial integrity of Ukraine,” which affirmed
that the referendum held in Crimea in 2014 was not authorized by Ukraine and therefore had no validity.\textsuperscript{189} The
resolution also urged parties to the conflict to “refrain from actions aimed at the partial or total disruption of the
national unity and territorial integrity of Ukraine through the threat or use of force.”\textsuperscript{190} On 19 December 2016, the
General Assembly adopted resolution 71/205 (2016) on the “Situation of human rights in the Autonomous Republic
of Crimea and city of Sevastopol (Ukraine).”\textsuperscript{191} The resolution condemned the temporary occupation of Ukrainian
territory by the Russian Federation and reaffirmed the “non-recognition” of Russia’s annexation of the Crimean
Peninsula.\textsuperscript{192} It also expressed Member States’ concern over the reported “violations and abuses committed against
residents of Crimea” and called for the Office of the United Nations High Commissioner for Human Rights
(OHCHR) to report on the situation of human rights in Crimea.\textsuperscript{193}

In January 2017, the Ukrainian government initiated proceedings against the Russian Federation at the International
Court of Justice (ICJ) for alleged violations of the International Convention for the Suppression of the Financing of
Terrorism (1999) and the International Convention on the Elimination of all Forms of Racial Discrimination
(1965).\textsuperscript{194} A few months later, on 19 April 2017, the ICJ delivered its Order on provisional measures in proceedings
brought by Ukraine, concluding that all parties to the conflict must work towards the full implementation of Minsk
II.\textsuperscript{195} The Order also urges Russia to “refrain from imposing limitations to the Crimean community to conserve its
representative institutions” and to guarantee access to education in the Ukrainian language.\textsuperscript{196}

\textsuperscript{181} What are the Minsk Agreements, The Economist, 2016.
\textsuperscript{182} Ibid.
\textsuperscript{183} Ibid.
\textsuperscript{184} Three years of Minsk Agreements on Ukraine fail to produce significant results, Tass, 2018.
\textsuperscript{185} Everything you wanted to know about the Minsk peace deal, but were afraid to ask, Euromaidan Press, 2018.
\textsuperscript{186} Ibid.
\textsuperscript{188} UN Security Council, On Downing of Malaysia Airlines flight MH17 on 17 July in Donetsk Oblast, Ukraine (S/RES/2166
\textsuperscript{189} UN General Assembly, Territorial integrity of Ukraine (A/RES/68/262), 2014, p. 2.
\textsuperscript{190} Ibid.
\textsuperscript{191} UN General Assembly, Situation of human rights in the Autonomous Republic of Crimea and city of Sevastopol (Ukraine)
\textsuperscript{192} Ibid.
\textsuperscript{193} Ibid., p. 2.
\textsuperscript{194} ICJ, The Court finds that Russia must refrain from imposing limitations on the ability of the Crimean Tatar community to
conserve its representative institutions, including the Mejlis, and ensure the availability of education in the Ukrainian
language, 2017
\textsuperscript{196} Ibid., p. 3.
Role of the International System

On 14 March 2014, the United Nations Human Rights Monitoring Mission in Ukraine (HRMMU) was deployed to monitor, report publicly, and advocate on the human rights situation in Ukraine and to recommend actions to the Ukrainian government and all parties to the conflict.\(^{197}\) Every three months, based on the work of the HRMMU, the OHCHR publishes reports offering a detailed overview of the human rights situation in the conflict area and addressing the root causes of the crisis.\(^{198}\)

Between 7 April 7 and 14 April 2014, Rita Izsák, UN Special Rapporteur on minority issues, conducted an official visit to Ukraine in order to examine the situation of minority groups.\(^{199}\) The Special Rapporteur met with representatives of numerous ethnic communities such as Crimean Tatars, Bulgarians, Moldovans, and Russians.\(^{200}\) From her visit, Izsák concluded that additional measures should be established to reinforce the protection of minorities’ rights, including policies aimed at equal participation in public and political life at all levels and improved access to democratic institutions and decision-making processes.\(^{201}\) Moreover, the Special Rapporteur stressed the importance of government financial and institutional support for minority groups to maintain and advance their socio-economic and cultural activities, therefore reflecting the country’s diversity.\(^{202}\) With ethnic minorities representing 22% of the Ukrainian population, Ukraine is divided by linguistic and regional cleavages, which manifest themselves through polarization and divisions.\(^{203}\) Among other implications, the latter have cleared the path to internal violence, civil and ethnic conflicts, and the questioning of the viability of the Ukrainian state itself.\(^{204}\) Policies towards improving minority representation will contribute therefore to stabilize the country and to achieve a pacific settlement of the dispute.

Since the onset of the conflict in 2013, the International Red Cross Committee (ICRC) has provided financial and technical support to the Ukrainian Red Cross in order to increase its capacity to meet vulnerable groups’ needs in eastern Ukraine.\(^{205}\) By December 2017, 306 conflict-related hostages were released and transferred with the assistance of the ICRC, and 11,000 metric tons of humanitarian aid were delivered to civilian populations on both sides of the contact line.\(^{206}\) In March 2014, following a request to the OSCE by the Ukrainian government, the Permanent Council of the OSCE deployed the Special Monitoring Mission (SMM) to Ukraine.\(^{207}\) The Mission consists of 700 unarmed civilians from more than 40 OSCE participating states, and its mandate is to foster peace and stability in the country by reporting on the security and human rights situation in Ukraine.\(^{208}\) Through monitoring and reporting, the SMM contributes to containing the conflict and serves as an important mechanism to prevent conflict spillover.\(^{209}\) However, ever since its inception, the Mission has confronted serious challenges when performing its tasks.\(^{210}\) Both the Ukrainian military forces and the rebel groups have imposed restrictions on SMM personnel’s right to freedom of movement and access, which has negatively affected the conflict prevention and mitigation tasks of the Mission.\(^{211}\) Moreover, and as its personnel and equipment are constantly exposed to violent outbreaks, especially in the Donetsk and Luhansk regions, security for SMM’s staff has become a serious challenge.\(^{212}\)

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200 Ibid.
201 Ibid., p. 22.
202 Ibid., p. 22.
204 Ibid.
208 Ibid.
210 Ibid.
211 Ibid.
212 Ibid.
In February 2017, during her first address to the Security Council, the United States of America’s ambassador to the UN, Nikki Haley, strongly condemned Russia’s “aggressive actions” in the Ukrainian conflict. By December 2017, after the U.S. Special Envoy for the Ukrainian conflict, Kurt Volker, affirmed that 2017 was the deadliest year since the outburst of violence in eastern Ukraine, the United States announced its intent to sell lethal weapons to Ukraine to support government forces. In February 2018, President Poroshenko announced that the first shipment of weapons was scheduled to arrive within weeks. While the Ukrainian government stated that Washington’s decision to supply weapons to Ukraine signals a new cooperation era between the two countries, Russian officials refer to it as a “dangerous” move that would destabilize the situation and encourage Kiev to use force in the conflict area.

With no solution to the conflict in sight, negotiations on the possible establishment of a UN peacekeeping mission to Ukraine have initiated. While both the United States and the EU have urged Russian President Putin to allow a UN peacekeeping force in eastern Ukraine, disputes continue between the Russian and Ukrainian governments over the size and location of the mission and whether it should be allowed to patrol Ukraine’s border with Russia. While some experts advocate for the deployment of 50,000 UN peacekeeping personnel, President Putin has suggested a limited mission and resisted a large force. Many experts believe that only a UN peacekeeping mission could pave the way for local elections to take place in eastern Ukraine, a fundamental aspect of the implementation of the Minsk Agreements.

**Political and Social Unrest in Ukraine**

The recurrent violations of the ceasefire agreements in eastern Ukraine have contributed to escalating hostilities and to an increasing death toll that approached 10,000 as the conflict entered its fifth year. The fighting between pro-Russian separatist groups, allegedly supported by President Putin’s government, and Ukrainian armed forces have impacted millions of people in the conflict area. Since hostilities began in 2013, nearly 2,500 civilians have been killed and over 9,000 injured. Explosive hazard contamination has affected 1.9 million people, including 200,000 children, and landmines have killed or injured over 235 civilians. OHCHR observers have reported that populations living in the conflict zone suffer from a severe lack of security owed to military activities near their homes and the constant hazard of mines and unexploded artillery. Adding to this, in order to visit their relatives or access basic social services and social protection, every month over 1 million Ukrainians are forced to queue for crossing checkpoints along the contact line, the division line between government and rebel-held territories. The waiting time can be up to six hours.

In February 2018, in an attempt to establish a legal framework for the Poroshenko administration to regain control of the occupied territories of eastern Ukraine and the Crimean Peninsula, Ukraine’s parliament adopted the law “On the Peculiarities of the State Policy on Ensuring Ukraine’s State Sovereignty over Temporarily Occupied Territories in Donetsk and Luhansk Regions,” known as the Donbas reintegration law. The law labels Russia as a party to the conflict and an “aggressor country,” and it refers to the areas controlled by armed groups as “temporarily occupied.” It also asserts that Russia is to be held accountable for “moral, financial or physical damage.”

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213 Thompson, Everything you need to know about how we got here, CNN, 2017.
216 Ibid.
218 Ibid.
220 Ibid.
221 Thompson, Everything you need to know about how we got here, CNN, 2017.
222 Ibid.
223 Conflict in Ukraine enters its fourth year with no end in sight – UN Reports, UN News, 2017.
225 UN: Four years of conflict in Ukraine leave 4.4 mln people in dire humanitarian situation, UNIAN, 2018.
226 Ibid.
227 Ibid.
228 UN: Four years of conflict in Ukraine leave 4.4 mln people in dire humanitarian situation, UNIAN, 2018.
230 Ukraine’s Donbas reintegration law enters into force Feb 24, UNIAN, 2018.
perpetrated on Ukrainian government authorities and other individual and legal entities.230 Aimed at ensuring Ukraine’s state sovereignty over the occupied areas, the Donbass law states that all the activities of Russia’s armed formations in the Donetsk and Luhansk regions are illegal and in contradiction of international humanitarian law.231 In response to his new bill, Russian Foreign Minister Sergey Lavrov declared that Ukraine's efforts to denounce his country as an “aggressor” is evidence that Poroshenko is preparing for a “new war.”232 Moreover, Konstantin Kosachev, Chair of the Foreign Affairs Committee in the Russian parliament's upper house, indicated that with this law “Kiev has gone from sabotaging the Minsk agreements to burying them,” while Alexander Zakharchenko, leader of rebels in the Donetsk region, referred to the bill as a “flagrant violation of the Minsk agreements.”233

The Socio-economic Situation in Eastern Ukraine

The OHCHR report on the human rights situation in Ukraine, covering the period from 16 February to 15 May 2017 highlighted the socio-economic deprivation in eastern Ukraine.234 The country’s economic stagnation with limited employment opportunities is the result of two main factors: the Ukrainian government’s ban on transportation of cargo, including coal and metal products along the contact line, and the seizure of approximately 54 enterprises by armed groups of the self-proclaimed Donetsk and Luhansk People’s Republics.235 Moreover, armed groups have forced the cessation of operations of a major private organization delivering humanitarian assistance to 500,000 individuals located on the conflict zone.236 This has reduced the space for civil society action and significantly restrained humanitarian organizations’ access to populations in need.237

The OHCHR observers also reported a sharp decrease in the delivery of pensions to the elderly population living on armed-group controlled territory.238 This is due to a new government regulation requesting that pensioners in temporarily occupied territory register as Internally Displaced Persons (IDPs) and undertake several verification processes in order to access their right to social protection.239 Also, the new regulation requires that all IDPs entitled to pensions must renew their bank registration.240 In order to comply with this, many people need to cross the contact line, having to wait for long hours in humiliating conditions and exposed to extreme temperatures without shelter and restricted access to water and lavatories.241

The Human Rights Situation in Eastern Ukraine

In April 2018, the UN Resident and Humanitarian Coordinator in Ukraine, Neal Walker, reported that after four years of armed conflict, 4.4 million people have been left in dire humanitarian situations, many of them struggling to cope with the impact of the crisis.242 Since 2013, more than 1.6 million people have been displaced, while 3.8 million are in urgent need of humanitarian protection and assistance.243 The contact line continues to divide families and communities, infringing their right of free movement.244 Furthermore, the daily ceasefire violations have resulted in extensive damage to civilian infrastructure, including hospitals, schools, and water facilities, thus depriving tens of thousands of people from basic services and restricting their right to an adequate standard of living.245
The HRMMU observed that on both sides of the contact line the practice of torture and ill-treatment of individuals accused of conflict-related charges persists, often with the objective of extracting confessions or coercing suspects.\textsuperscript{246} The Mission also informed on cases of conflict-related sexual violence.\textsuperscript{247} The presence of armed forces in residential areas continues to be one of the highest threats for gender-based violence, especially against women.\textsuperscript{248} Moreover, OHCHR observers have raised concerns about individuals being unlawfully or arbitrarily detained or subjected to abductions and enforced disappearances, particularly in the contact line.\textsuperscript{249} The Mission has documented numerous restrictions imposed on the freedom of movement, expression, association, peaceful assembly, and religion or belief to the population living in controlled territory.\textsuperscript{250} On 7 July 2017, OHCHR reported, for the first time, the sanctioning of a social media post when a Crimean Tatar from Sevastopol was condemned to a 15 month-detention for “publicly inciting hatred or enmity” due to a Facebook post where he mentioned the “oppression” of Crimean Tatars.\textsuperscript{251} In this regard, UN observers have highlighted the systemic violations of the right to a fair trial, particularly for minority groups, and a biased approach to investigations in high-profile cases.\textsuperscript{252} To date, none of the senior officials responsible for the killing of protestors or other violent deaths have been held accountable.\textsuperscript{253}

The imposition of Russian citizenship on Crimea’s residents has further undermined their exercise of fundamental freedoms, particularly for those who refused to adopt the citizenship, e.g. the Crimean Tartars.\textsuperscript{254} In several occasions, this ethnic minority group has announced their opposition to switching Ukrainian citizenship for Russian citizenship, and organized protests in favor of Crimea to remain part of Ukraine.\textsuperscript{255} According to a survey carried out by Russian officials in 2014, only 5,000 of the 300,000 Crimean Tartars living in the Russian-occupied territory applied for obtaining a Russian passport.\textsuperscript{256} Among other implications, this has motivated pro-Russian armed groups’ attacks to the Crimean Tartars’ mosques and schools. Moreover, invasive raids of Crimean Tartars’ private properties, arbitrary arrests, and restricted access to essential services have significantly infringed on the economic and civil rights of this minority group.\textsuperscript{257}

Conclusion

Violence in eastern Ukraine between pro-Russian separatist groups and government military forces has escalated into an international crisis.\textsuperscript{258} What started as a dispute over a trade agreement has turned into the bloodiest armed confrontation in Europe since the early 1990s.\textsuperscript{259} The conflict has intensified tensions between Russia and the EU and deteriorated U.S.-Russian relations, raising serious concerns among the international community.\textsuperscript{260} In addition, the confrontation has brought up historical ethnic divides in the country, with western Ukrainians willing to integrate further into the EU while eastern Ukrainians still look to Russia.\textsuperscript{261} In several reports, the UN has warned the international community that Ukraine’s current stalemate is triggering isolation and distress among millions of people living in both sides of the contact line.\textsuperscript{262} Albeit the efforts of a number of governments, intergovernmental organizations, and civil society advocates, the ceasefire continues to be disregarded every day, escalating the number of civilian casualties and forcing millions of peoples to abandon their families and homes.\textsuperscript{263}


\textsuperscript{247} Ibid., p. 15.

\textsuperscript{249} Ibid., p. 10.

\textsuperscript{250} Ibid., p. 18.

\textsuperscript{251} Ibid., p. 30.

\textsuperscript{252} Ibid., p. 17.

\textsuperscript{253} Ibid.

\textsuperscript{254} Ibid.

\textsuperscript{255} \textit{Fewer than 2% of Crimean Tatars apply for Russian citizenship}, Euromaiden Press, 2014.

\textsuperscript{256} Ibid.

\textsuperscript{257} \textit{The situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)}, p. 2.

\textsuperscript{258} \textit{Global Conflict Tracker}, \textit{Conflict in Ukraine}, 2018.

\textsuperscript{259} Thompson, Ukraine, \textit{Everything you need to know about how we got here}, \textit{CNN}, 2017.

\textsuperscript{260} \textit{Global Conflict Tracker}, \textit{Conflict in Ukraine}, 2018.

\textsuperscript{261} Coman, \textit{On the frontline of Europe’s forgotten war in Ukraine}, \textit{The Guardian}, 2017.

\textsuperscript{262} Thompson, Ukraine, \textit{Everything you need to know about how we got here}, \textit{CNN}, 2017.

\textsuperscript{263} Ibid.
Member States must intensify measures to fully ensure the respect of international humanitarian law by all parties to the conflict, and to meet the humanitarian needs of the Ukrainian population living in the conflict zone. At the same time, and in response to the deteriorating social, economic, and human rights situation in the country, the international community must use all diplomatic channels available in order to put an immediate end to all hostilities. Future reconciliation and a peaceful resolution of the Ukrainian conflict are imperative challenges for realizing peace in the region. If there is to be any chance for Ukraine to achieve long-lasting peace and security, a compromise must be found between all parties to the conflict.

**Further Research**

In determining how the situation in Ukraine can be resolved, delegates should consider what the Security Council could do to further assist in the implementation of the Minsk Agreements? What measures can the Ukrainian government take in order to protect civilians and guarantee their rights? Will a UN peacekeeping force help end violence and find a peaceful settlement of the conflict? Beyond the security and military situation, how can the UN system improve the humanitarian situation of civilians affected by the conflict?

**Annotated Bibliography**


This document reports on the situation of human rights in Ukraine by OHCHR, covering the period from 16 August to 15 November 2017. In this report, OHCHR documented 87 civilian casualties in eastern Ukraine, a 48% decrease to the prior period of 16 May to 15 August 2017. However, the report also discusses that while May through September showed a decline in fatalities and injuries, November began with an abrupt surge in violence. The report affirms that while the character of the conflict has continued the same, with daily ceasefire violations and the recurrent use of heavy weapons, hostilities appeared to be on the rise in November. Moreover, the document argues that the situation in Ukraine has been constantly aggravated by the presence of foreign fighters and the continuous supply of weapons and ammunitions from the Russian government. The report will serve delegates as a first entry to the current situation in Ukraine, and it will provide them with updated information on the social and economic consequences of the conflict.


This report is grounded on the work of the HRMMU from 16 February to 15 May 2017. The report’s findings are based on information collected by HRMMU through interviews conducted with 252 victims and witnesses of human rights violations and visits to territories controlled by the Ukrainian government and armed groups, respectively. The document meticulously describes the fragile socio-economic situation of Ukrainians living on both sides of the contact line, and the deterioration of freedom of expression, freedom of movement and freedom of assembly in conflict-affected areas. Moreover, the report provides delegates with data on the number of civilian casualties, missing persons, executions, enforced disappearances, torture, and conflict-related sexual violence that occurred during the period covered.

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Published after a request of the Ukrainian government to the Secretary-General to establish a human rights mission in Ukraine, this report finds its ground on the mandate of the OHCHR, HRMMU, and General Assembly resolution 71/205 on the “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)”. It covers the period from February 2014 to September 2017. The document addresses the following issues: restrictions to freedom of movement, freedom of thought, conscience and religion, freedom of peaceful assembly and association, and freedom of opinion and expression, imposed both by the Russian Federation and by the Ukrainian government during the conflict. The report also analyzes the limitation of the rights of Ukrainians and Crimean Tatars to express their culture and identity, and the restrained access to water and other essential public services. The document will offer delegates insight into the multiple issues involved in the topic and provide them with a guide for further research.


This report is based on Special Rapporteur on minority issues Rita Izsák’s official visit to Ukraine between 7 and 14 April 2014. The document addresses the minority rights situation of the population in Ukraine and refers to the legal and institutional framework of minority rights in the context of political and social unrest in Ukraine. The report emphasizes a lack of good governance and widespread corruption as the main contributors to a lack of trust in political institutions, therefore causing political instability in the country. What is more, the document highlights the situation of internally displaced persons and of religious minorities. The report concludes that a process of national dialogue should be implemented along with measures aimed at building confidence around the fact that minority rights should and will be respected.


Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, briefed the Security Council on the humanitarian situation in Ukraine on 29 May 2018. The Assistant Secretary-General called for enhanced protection of civilians in Ukraine through adherence and respect to the rules of war by all parties to the conflict. This statement provides delegates with important and reliable data regarding the humanitarian, social, and economic consequences of the conflict, and it refers to the challenges that humanitarian aid programs face in the country, particularly in the non-government control area. Finally, the Assistant Secretary-General concludes that the conflict in eastern Ukraine has pushed millions of Ukrainians to a breaking point and that the only resolution to their dire humanitarian situation is peace.

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