



SECURITY COUNCIL BACKGROUND GUIDE 2014

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NATIONAL MODEL UNITED NATIONS



Dear Delegates,

Welcome to the 2014 National Model United Nations held in Rome, Italy (NMUN•Europe) and particularly to the United Nations Security Council. As part of the volunteer staff for NMUN•Europe, we are looking forward to facilitating your experience at the conference. The Director for this committee is Cara Wagner, and Maria Antonietta Coppola will serve as the Assistant Director. Cara holds a Master of Science in Global Studies and International Affairs from Northeastern University and a B.A. in International Affairs and Certificate in Peace and Conflict Studies from the University of Colorado at Boulder. Maria Antonietta holds a master's degree with Honors in International Affairs and a bachelor's degree in Political Science and International Affairs from Sapienza University of Rome.

The topics under discussion for the Security Council are:

- I. Protection of Journalists in Armed Conflict
- II. Women Peace and Security: Sexual Violence in Conflict

The Security Council is one of the principle bodies of the UN and the only body in the UN system whose decisions are legally binding. Charged with the maintenance of international peace and security, the Security Council's reach extends to all corners of the world and affects the entirety of the global population. Simulating this committee at NMUN•Europe gives you the opportunity to engage with the world's most pressing issues and the most complex topics in peace and security, and to work towards consensus to address them.

We hope you will find this Background Guide useful as it serves to introduce you to the topics for this committee. It is not meant to replace your own research but to provide you a comprehensive background in order to launch your research into your countries' policies on the issues. We encourage you to explore the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation of the conference, each delegation will be submitting a position paper. Please refer to the following pages for details regarding the position paper submission process. Please take note of the [NMUN Policies and Codes of Conduct](#) on the website and in the [Delegate Preparation Guide](#) regarding plagiarism, codes of conduct/dress code/sexual harassment, awards philosophy/evaluation method, etc. Adherence to these guidelines is mandatory.

If you have any questions concerning your preparation for the committee or the Conference itself, feel free to contact the substantive staff listed below or the Deputy Secretary-General, Amanda Lichtenstein, at dsg.rome@nmun.org.

We wish you all the best for your preparation for NMUN•Europe 2014 and look forward to seeing you at the conference!

Sincerely,

Cara Wagner, Director
Maria Antonietta Coppola, Assistant Director

NMUN•Europe Position Papers Guidelines

Due 15 October 2014

Each committee topic should be addressed in a succinct policy statement representing the relevant views of your assigned country, non-governmental organization (NGO), or expert role. You should identify and address international and regional conventions, treaties, declarations, resolutions, and programs of action that are relevant to the policy of your country or NGO. You should also include recommendations for action to be taken by your committee. A delegate's role as a Member State, Observer State, or NGO should affect the way a position paper is written. The [Delegate Preparation Guide](#) will provide you with additional information.

A position paper should be submitted for each assigned committee.

- The two page position paper should cover all the topics in the background guide, not a separate paper for each topic.
- Do not submit papers for committees not assigned to your country/NGO (see [matrix](#)).
- No more than two delegates can represent a single country/NGO in a committee. If you assign two delegates to represent a country/NGO on a committee, they submit one position paper jointly, not separate position papers from each individual.
- NMUN position papers are not cited as is required for an academic paper. They are written as if they are a policy statement coming from the foreign ministry. While they may reference UN data or past UN Resolutions, like in our samples, formal citations are not used.

Please pay careful attention to the following guidelines when drafting and submitting your position papers. Only those delegations that follow the guidelines and meet the submission deadline will be eligible for [position paper awards](#).

Follow the layout in our [Sample Position Paper](#) using the standards below:

- Length must not exceed two pages
- Margins must be set at 1 inch or 2.54 cm. for the whole paper
- Font must be Times New Roman sized between 10 pt. and 12 pt.
- Country/NGO name, school name, and committee name must be clearly labeled on the first page
- Agenda topics must be clearly labeled in separate sections
- National symbols (headers, flags, etc.) are deemed inappropriate for NMUN position papers
- Convert your paper to PDF format

Please note that position papers must be comprised of entirely original writing. **The NMUN Conference will not tolerate plagiarism**, including copying from Committee Background Guides. Violation of this policy may result in dismissal from the conference. Although United Nations documentation is considered within the public domain, the conference does not allow the verbatim re-creation of these documents.

How to Submit Your Position Papers

Position papers need to be submitted by email in PDF format to dsg.rome@nmun.org. As proof of submission, include yourself as an email recipient. Please use the committee name and your assignment in both the email subject line and in the filename (example: GA1_Cuba). Each position paper should be sent as a separate attachment.

Many, many papers will be read by the Secretariat. Your patience and cooperation in adhering to the above guidelines is greatly appreciated.

History of the United Nations Security Council

The United Nations Security Council is the epicenter of collective security, with its primary responsibility being the maintenance of international peace and security.¹ While it has the ability to exercise sweeping powers within the United Nations system, the Council was ineffective for much of the Cold War due to the systemic geopolitical rivalry between the United States and the Soviet Union.² In contemporary international relations, however, it has been able to address breaches of international peace and security without much burden, and has been active in areas such as the former Yugoslavia, Angola, the Democratic Republic of Congo, or Libya, though not without criticism.³ Due to the role it plays in the United Nations system and the urgency of its programme of work, the Security Council does not meet in sessions; instead, the President may, at his or her own prerogative or at the behest of a sitting Member State, call a meeting to order.⁴ The ongoing nature of Council meetings also allows flexibility in its deliberations, with each meeting having its own provisional agenda consisting of items brought forward by the Secretary-General and items the Council has previously deferred or left incomplete.⁵

Powers of the Security Council

Charter Powers

Chapters VI and VII of the Charter of the United Nations accord the responsibility of maintaining international peace and security to the Security Council. Under Chapter VI, *Pacific Settlement of Disputes*, Member States are compelled to resolve a dispute through all diplomatic means necessary, such as mediation, judicial arbitration, or the referral of the dispute to a regional collective security organization.⁶ The Security Council may further decide to investigate a situation and determine if said situation would undermine international peace and security, and subsequently call upon the parties involved to resolve it through diplomatic means.⁷ Subsequently, the Council may “at any stage of a dispute [...] recommend appropriate procedures or methods of adjustment.”⁸

Should there be a threat to peace or an act of aggression, the Security Council may decide to act under Chapter VII of the Charter, *Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression*.⁹ In this vein, the Security Council may enforce collective security by calling upon Member States to apply any measures that the Council has deemed necessary to maintain or restore international peace and security; these measures may include trade embargos, severance of telecommunications, or the withdrawal of diplomatic representation.¹⁰ Only when these measures have proved to be inadequate may the Council decide to act militarily, with Member States providing the necessary resources to conduct such a military operation.¹¹ Security Council resolutions passed under Chapter VII are unique in international law, as these decisions are binding on Member States according to Article 25 of the UN Charter.¹²

A power that is not prescribed explicitly by the Charter but regularly exercised by the Council is the deployment of peacekeeping operations.¹³ Peacekeeping operations provide the necessary security and ceasefire arrangements in order for the parties to participate in the peace process.¹⁴ During a peacekeeping mission, United Nations personnel shall remain impartial and refrain from the use of force except in situations of self-defense.¹⁵ Peacekeeping operations retain characteristics of Chapters VI and VII mandates, meaning that a military force is deployed but only

¹ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 24.

² Encyclopedia Britannica, *United Nations Security Council*.

³ Encyclopedia Britannica, *United Nations Security Council*.

⁴ United Nations Security Council, *Provisional Rules of Procedure of the Security Council*, 1983.

⁵ United Nations Security Council, *Provisional Rules of Procedure of the Security Council*, 1983.

⁶ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 33.

⁷ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 34.

⁸ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 36.

⁹ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 39.

¹⁰ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 41.

¹¹ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 42.

¹² Johansson, *Equivocal Resolve? Towards a Definition of Chapter VII Resolutions*, 30 May 2008.

¹³ United Nations Peacekeeping, *Role of the Security Council*.

¹⁴ United Nations Peacekeeping, *Role of the Security Council*.

¹⁵ United Nations Peacekeeping, *What is peacekeeping?*.

to establish the necessary conditions for the parties involved to resolve the conflict diplomatically; this has led former Secretary-General Dag Hammarskjöld to famously call such missions to be under “Chapter Six and a Half.”¹⁶

Responsibility to Protect

In recent years, the concept of a Responsibility to Protect (R2P), which was first formulated in 2001, has received increased attention in the realm of international peace and security.¹⁷ While foreign interventions for the maintenance of peace and security were allowed under the UN Charter, interventions under a humanitarian mandate were controversial and the Security Council seldom took action under the latter cause, which led to much criticism, notably in the situations of the Former Yugoslavia or in Somalia.¹⁸ R2P challenged the norms of state sovereignty and shifted sovereignty towards the state bearing responsibility for the protection of its population.¹⁹ In this vein, should a state fail to protect its population from “internal war, insurgency, repression or state failure, [or] the state in question is unwilling or unable to halt or avert it,” the international community has an obligation under international humanitarian law to protect the population in danger.²⁰ R2P further stipulates that the Security Council, despite not having an explicit mandate to deploy military resources for humanitarian interventions, possesses the legal capacity to do so and to debate humanitarian interventions based on a broader interpretation of the Charter as well as changing international norms.²¹ The concept was formally introduced within the United Nations at the 2005 World Summit, when the General Assembly acknowledged the principle in an abridged form in the World Summit Outcome document.²² The Security Council has subsequently adopted this principle in resolution 1674.²³

Membership

The Security Council is composed of 15 Member States of the United Nations.²⁴ Of the 15 Member States, five – China, France, the Russian Federation, the United Kingdom, and the United States – hold permanent seats on the Council, with the remaining ten elected by the General Assembly for two-year terms.²⁵ Equality between Member States is similarly observed on the Council, with each Member State possessing one vote.²⁶ Procedural matters require the consent of at least nine Member States, whereas all other matters of the Council require the consent of at least nine Member States including the five permanent members.²⁷ This Charter provision has been interpreted consistently in such a way that an abstention by a permanent member does not count as a veto.²⁸ Any Member State of the United Nations or a non-member state may be invited to participate as an observer, should a dispute affect the state in question.²⁹

Annotated Bibliography

International Commission on Intervention and State Sovereignty. (2001, December). *The Responsibility to Protect*. Retrieved June 1, 2013 from: <http://responsibilitytoprotect.org/ICISS%20Report.pdf>

The Responsibility to Protect (R2P) doctrine was formulated in 2001 in response to the changing nature of conflicts around the world. In the post-Cold War era, international crises and other crimes against humanity became less inter-state and much more intra-state; with this in mind, the United Nations was ill-equipped to respond to intra-state conflicts as it would violate the sovereignty of the Member State in question. The R2P doctrine, as such, transforms the notion of

¹⁶ United Nations Information Service, *60 Years of United Nations Peacekeeping*.

¹⁷ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001.

¹⁸ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001.

¹⁹ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001.

²⁰ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001.

²¹ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001.

²² United Nations General Assembly, *World Summit Outcome (A/Res/60/1)*, 2005.

²³ United Nations Security Council, “Resolution 1674 (2000) on Protection of civilians in armed conflict”, 28 April 2006.

²⁴ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 23.

²⁵ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 23.

²⁶ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 27.

²⁷ United Nations, *Charter of the United Nations*, 26 June 1945, Art. 27.

²⁸ United Nations Security Council, *Voting System and Records*, 2013.

²⁹ United Nations Security Council, *Current Members*.

sovereignty from a right to a responsibility of the state. States much bear the responsibility of protecting their populations from violence or persecution, and should a state refuse to act in this manner the international community has a further responsibility of intervening in the name of human security. The R2P doctrine was officially adopted by the Council via resolution 1674 in 2006.

United Nations Security Council. (n.d.). *Meetings Records*. Retrieved July 1, 2014 from:

<http://www.un.org/en/sc/meetings/records/2014.shtml>

This Web site contains all documents pertinent to Security Council meetings for the year of 2014. These documents may include meetings records, press statements, and any resolutions or reports that have been tabled with the Council. Delegates are strongly encouraged to consult this Web site on a regular basis in order to familiarize themselves with the Council's programme of work for this year as well as for past years. This is crucial as meetings records and resolutions further demonstrate the substantive mandate of the Security Council as well as how Member States' foreign policies are conducted.

United Nations. (1945, 26 June). *Charter of the United Nations*. Retrieved June 10, 2013 from:

<http://www.un.org/en/documents/charter/index.shtml>

The powers of the Security Council originate from the Charter of the United Nations, with the sections that are specific to the Security Council being Chapters V, VI, and VII. Chapter V sets out the composition of the Council and rules regarding membership. Collective security is enforced through Chapters VI and VII. In the former, the Council may investigate international disputes or situations that would give rise to violence, and recommend necessary actions. In the latter chapter, the Council may elect to take concrete action and physically intervene in a breach of international security, usually by a UN peacekeeping force or an approved multilateral mission.

I. Protection of Journalists in Armed Conflict

"The least we can do when a journalist is murdered, is to ensure that the death is investigated swiftly and that justice is served. It is shocking and unacceptable that more than 90% of the assassinations of journalists go unpunished."³⁰

Introduction

Both in conflict zones and across the globe, the majority of information on the ongoing events of armed conflict is discerned, though in many forms, through a single means – journalism.³¹ In the context of armed conflict, journalists can mean many things including: reporters, photographers, news producers, cameramen, and many other media personnel serving in support roles to news agencies and reporters.³² For anyone operating in a conflict zone, risks are part of daily life.³³ However for journalists, the likelihood of those risks grows exponentially.³⁴ Journalists are generally required to pursue the facts, figures, and truth at all costs – while remaining objective and not in promotion of war propaganda.³⁵ This frequently means exposing themselves to dangerous and often fatal situations.³⁶ Put

³⁰ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

³¹ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

³² Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

³³ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

³⁴ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

³⁵ Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part), 1949.

³⁶ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

simply, journalists in armed conflict are subject to "torture, extrajudicial killings, enforced disappearances and arbitrary detention, as well as intimidation and harassment."³⁷

The last few years are littered with examples of journalists killed or injured in the course of their duties. In May 2014, Camille Lepage, a French photojournalist was killed in the Central African Republic (CAR).³⁸ It is thought that she was traveling in a particularly dangerous area bordering neighboring Cameroon with a militia group.³⁹ In Syria, over 60 journalists have been killed since 2011.⁴⁰ In one instance, a British reporter and a photographer were captured and brutally mistreated by rebel groups, including being shot and severely beaten.⁴¹ Finally, as the current situation in the Ukraine becomes increasingly unstable, the safety of journalists is a growing concern.⁴² On 29 April 2014, kidnappers released an American journalist after blindfolding and beating him for days.⁴³ Foreign journalists however, are not the only population placed in great risk; much of the harm to journalists is on domestic journalist – those that are nationals to a state in conflict.⁴⁴ On 7 July 2013, Somali TV journalist Libaan Abdullahi Farah was shot while walking to his home.⁴⁵ Also in July 2013, Mohammad Bader, a cameraman for Al-Jazeera and Egyptian national was imprisoned for “attempted murder and possessing a weapon” while covering protests against former Egyptian President Mohamed Morsi.⁴⁶

International Framework

Article 79 of the *First Additional Protocol of 1977 to the Geneva Conventions of 12 August 1949*, states “[j]ournalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians (...). 2. They shall be protected as such under the Conventions and this Protocol provided that they take no action adversely affecting their status as civilians (...).”⁴⁷ This doctrine is the principle basis for international law and the legalities and codes of conduct during wartime towards the civilian population and towards journalist operating in conflict zones.⁴⁸ For decades, these founding documents were the sole basis for protection and justice for the various civilian populations.⁴⁹ However, on 2 November 1973, the United Nations (UN) General Assembly (GA) adopted Resolution 3058 (XXVIII) on the “protection of journalists engaged in dangerous missions in areas of armed conflict.”⁵⁰ Resolution 3058 (XXVIII) recognized the gap and growing need for a solution regarding increased safety and security of journalists operating in conflict zones.⁵¹ Further, Resolution 3058 (XXVIII) highlighted the need to establish a convention specific to the needs of journalists in armed conflict due to their unique humanitarian and safety needs.⁵² While there are conferences pertaining to journalists, media, and the right to free press, to date

³⁷ UN GA, *Safety of journalists and the issue of impunity (A/C.3/68/L.40/Rev.1)* [Draft Resolution], 20 November 2013.

³⁸ BBC News, *French journalist Camille Lepage killed in CAR*, 2014.

³⁹ BBC News, *French journalist Camille Lepage killed in CAR*, 2014.

⁴⁰ BBC News, *Syria Conflict: Times Journalists Beaten During Capture*, 2014.

⁴¹ BBC News, *Syria Conflict: Times Journalists Beaten During Capture*, 2014.

⁴² BBC News, *Journalist ‘Kidnapped and Beaten by Pro-Russians’ in Ukraine*, 2014.

⁴³ BBC News, *Journalist ‘Kidnapped and Beaten by Pro-Russians’ in Ukraine*, 2014.

⁴⁴ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁴⁵ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁴⁶ Committee to Protect Journalists, *2013 Prison Census: 211 Journalists Jailed Worldwide* [Web site], 2013.

⁴⁷ International Committee of the Red Cross, *The Safety and Protection of Journalists and their Crews and International Humanitarian Law and media reporting* [Web site], 2007.

⁴⁸ International Committee of the Red Cross, *The Safety and Protection of Journalists and their Crews and International Humanitarian Law and media reporting* [Web site], 2007.

⁴⁹ International Committee of the Red Cross, *The Safety and Protection of Journalists and their Crews and International Humanitarian Law and media reporting* [Web site], 2007.

⁵⁰ UN GA, *Protection of Journalists engaged in dangerous missions in areas of armed conflict (A/RES/3058(XXVIII))* [Resolution], 1973.

⁵¹ UN GA, *Protection of Journalists engaged in dangerous missions in areas of armed conflict (A/RES/3058(XXVIII))* [Resolution], 1973.

⁵² UN GA, *Protection of Journalists engaged in dangerous missions in areas of armed conflict (A/RES/3058(XXVIII))* [Resolution], 1973.

there is no such convention specific to journalists in armed conflict.⁵³ As the right to the freedom of press is enshrined in the *International Covenant on Civil and Political Rights*, it is critical that these rights be ensured during armed conflict.⁵⁴

On 12 April 2012, the UN adopted the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, which specifically sets out to “uphold the fundamental right of freedom of expression” and “creat[e] a free and safe environment for journalists and media workers.”⁵⁵ Pursuant to this plan, the 2013-2014 Implementation Strategy, a partnership primarily between the UN Educational, Scientific, and Cultural Organization (UNESCO), the UN Office of the High Commissioner on Human Rights (UNOCHR), and the UN Development Programme (UNDP) was released.⁵⁶ The Implementation Strategy details the specific means by which the UN Plan of Action will operate with specific goals of citizen awareness, development of national strategies, emergency response, generating understanding of the dangers and threats facing journalists.⁵⁷ Over a year later, on 26 November 2013, the UN GA Third Committee drafted a text on the “[s]afety of journalists and the issue of impunity” further promoting this agenda.⁵⁸ In essence, this text reaffirmed the commitment of the UN to the journalists’ safety and to filling the still-present gaps.⁵⁹ Other UN officials and agencies have also given decisions and issued reports that specifically highlight, express concern over, and call for action on the protection of journalists including: the Human Rights Council, the Office for the Coordination of Humanitarian Affairs, and the UN Secretary-General.⁶⁰

Precedence in the Security Council

In addition to these organizations, the UN Security Council has participated in the discussion of the protection of civilians in armed conflict.⁶¹ Notable meetings and resolutions relating to the debate of civilians in armed conflict include the debate at 3978th meeting on 12 February 1999 and resolutions 1265 (1999), 1296 (2000), and 1674 (2006).⁶² Resolution 1738 (2006), however, is the Security Council’s principle document reaffirming the status of journalists as civilians as laid out in the previous resolutions and within the international framework.⁶³ While not specific to journalists, these decisions are vital to understanding the action that the Council can and is willing to take in relation to the protection of civilians. In 2012 and 2013, the Security Council adopted three resolutions and one presidential statement that mentioned journalists’ protection.⁶⁴ Resolutions 2067 (2012) and 2093 (2013) – both in relation to the conflict in Somalia – and Resolution 2042 (2012) and Presidential Statement S/PRST/2012/6 dealing with the issue of Syria.⁶⁵

However, the subject of the protection of journalists in armed conflict has largely not been a thematic focus of the Security Council.⁶⁶ On 17 July 2013, the Council held its first open debate specifically relating to journalist safety and their protection in armed conflict.⁶⁷ During this debate, UN Deputy Secretary-General Jan Eliasson called for the Security Council to support the UN Plan of Action by “reacting to and standing up against suppression of media

⁵³ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 30 August 2012.

⁵⁴ UN GA, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966.

⁵⁵ ifex, *UN Plan of Action: The 5 things you need to know about the UN plan to protect journalists and combat impunity* [Web site].

⁵⁶ UNESCO, UNOCHR, & UNDP, *Implementation Strategy 2013-2014: UN Plan of Action on the Safety of Journalist and the Issue of Impunity*, 2012.

⁵⁷ ifex, *UN Plan of Action: The 5 things you need to know about the UN plan to protect journalists and combat impunity* [Web site].

⁵⁸ UN GA, *Safety of journalists and the issue of impunity (A/C.3/68/L.40/Rev.1)* [Draft Resolution], 2013.

⁵⁹ UN GA, *Safety of journalists and the issue of impunity (A/C.3/68/L.40/Rev.1)* [Draft Resolution], 2013.

⁶⁰ Security Council Report, *July 2013 Monthly Forecast: Protection of Journalists* [Web site], 2013.

⁶¹ Security Council Report, *Cross-Cutting Report on the Protection of Civilians in Armed Conflict*, 2013.

⁶² UN SC, *Summary record of the 2978th meeting (S/PV.2978)* [Official Record], 1999; UN SC, *Resolution 1265 (1999) [Civilians in armed conflict] (S/RES/1265)*, 17 September 1999; UN SC, *Resolution 1296 (2000) [Civilians in armed conflict] (S/RES/1296)*, 2000; UN SC, *Resolution 1674 (2006) [Civilians in armed conflict] (S/RES/1674)*, 2006.

⁶³ UN SC, *Resolution 1738 (2006) [Civilians in armed conflict] (S/RES/1738)*, 2006.

⁶⁴ Security Council Report, *July 2013 Monthly Forecast: Protection of Journalists* [Web site], 2013.

⁶⁵ Security Council Report, *July 2013 Monthly Forecast: Protection of Journalists* [Web site], 2013.

⁶⁶ Security Council Report, *Cross-Cutting Report on the Protection of Civilians in Armed Conflict*, 2013.

⁶⁷ Security Council Report, *Cross-Cutting Report on the Protection of Civilians in Armed Conflict*, 2013.

freedom.⁷⁶⁸ To do so the Security Council may consider issues of targeting and suppression of the freedom of expression within the context of country-specific agenda items.⁶⁹ Moreover, at the UN, journalist safety and protection is rooted in the Responsibility to Protect (R2P) doctrine. Conflict zones are increasingly not meeting international thresholds for what is deemed an “armed conflict”, thus limiting the ability of the international community to justify under international law, their protection.⁷⁰ This has led some to seek new parameters for protection.⁷¹ The Secretary-General of the non-governmental organization (NGO) Reporters Without Borders (RWB) addressed the Security Council on this issue on 13 December 2013 specifically with the aims of generating a greater debate on the role of the Security Council in protecting journalists in armed conflict.⁷²

Prevention and the Right to Free Press

It is thus the responsibility of the international community to develop and define the parameters by which journalists’ protection should be upheld. Much has been discussed since the start of the 21st century on preventative security and what can be done outside of conflict to protect journalists when conflicts does erupt.⁷³ The right to free press is no exception from this discussion. While free press is considered a right at the UN, this is not the case throughout much of the world.⁷⁴ Many countries have heavy censorship policies, which in turn generate a culture of oppression.⁷⁵ Censorship itself can be considered a conflict instigator.⁷⁶ The Arab Uprisings that began in 2011 are a clear example of such oppression that turned tensions into violence.⁷⁷ The UN has thusly identified the freedom of expression as a key component to ensuring the safety of journalists.⁷⁸ Specifically, the UN Plan of Action, looks to “rais[e] awareness among citizens about the consequences when journalists have their right to free expression curtailed; [help] governments develop laws to safeguard journalists; [and] provid[e] training courses for journalists.”⁷⁹ In Tunisia, as part of the UN Plan of Action, the country has built a series of regional trainings “to enhance cooperation between security forces and journalists,” and to “aimed at sensitising security forces’ officers on the issues of human rights, freedom of expression and safety of journalists.”⁸⁰

Protection and Security

In addition to prevention, more can be done to further improve journalists’ physical protection and care. Of particular concern for the Security Council are the five principle areas that challenge the protection of civilians highlighted by UN Secretary-General Ban Ki-moon his most recent report.⁸¹ They are: enhancing compliance with applicable international law, enhancing compliance by non-state armed groups, strengthening protection by UN peacekeeping and other missions, and ensuring humanitarian access and promoting accountability.⁸² Beyond mere safety measures, key objectives of the UN Plan of Action that align with such challenges include the development of emergency response mechanisms and furthering the knowledge and comprehensive understanding of the dangers and threats facing journalists and media personnel.⁸³ As civilians, professional journalists are not typically equipped

⁶⁸ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁶⁹ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁷⁰ Crawford, *The International Protection of Journalists in Times of Armed Conflict and the Campaign for a Press Emblem*, 2012.

⁷¹ Security Council Report, *January 2014 Monthly Forecast* [Web site], 2014.

⁷² Security Council Report, *January 2014 Monthly Forecast* [Web site], 2014.

⁷³ UNESCO & IPDC, *UN Plan of Action on the Safety of Journalists and the Issue of Impunity (CI-12/CONF.202/6)*, 2012.

⁷⁴ UN DPI, *World Press Freedom Day* [Web site], 2014.

⁷⁵ UN DPI, *World Press Freedom Day* [Web site], 2014.

⁷⁶ UN DPI, *World Press Freedom Day* [Web site], 2014.

⁷⁷ Cottle, *Media and the Arab uprisings of 2011: Research notes*, 2011.

⁷⁸ UNESCO & IPDC, *UN Plan of Action on the Safety of Journalists and the Issue of Impunity (CI-12/CONF.202/6)*, 2012.

⁷⁹ ifex, *UN Plan of Action: The 5 things you need to know about the UN plan to protect journalists and combat impunity* [Web site].

⁸⁰ UNESCO, *Tunisia: Enhancing cooperation between security forces and journalists* [Press Release], 2013.

⁸¹ Security Council Report, *Cross-Cutting Report on the Protection of Civilians in Armed Conflict*, 2013.

⁸² Security Council Report, *Cross-Cutting Report on the Protection of Civilians in Armed Conflict*, 2013.

⁸³ ifex, *UN Plan of Action: The 5 things you need to know about the UN plan to protect journalists and combat impunity* [Web site].

with the skills, training, or resources to survive in dangerous conflict zones. This was a key theme at the July 2013 Security Council open debate – in particular on how to better prepare journalists for operating in armed conflict.⁸⁴ Suggestions have included increased trainings, additional resources, increased cooperation, and sensitizing across security sectors to the safety of journalists, as well as increasing the recognition of journalists as persons of special interests to the Security Council, thus opening up greater opportunities for protection.⁸⁵

Justice and Impunity

The need to move forward towards concrete action of the prosecution of crimes committed against journalist is clear, especially as 90% of assassinations of journalists go unpunished.⁸⁶ Journalists are not simply killed or injured in the line of duty. Rather, parties of interest in the conflicts strategically target these individuals to prevent and stop the free flow of information that would often otherwise call attention to illegal and inhumane actions.⁸⁷ As of June 2014, the Committee to Protect Journalist (CJP) indicates 22 journalists or other media workers have been killed this year alone.⁸⁸ However, few of these deaths if any have been subject to proper investigation or trial.⁸⁹ Such reforms require action at both the national and international levels in judiciary and police institutions.⁹⁰ Through UNESCO, Brazil has developed a national plan to this effect.⁹¹ Specifically, an initiative whereby judges and others within the judiciary system can openly discuss and debate issues relating to impunity with respect to the safety and protection of journalists in ongoing as part of the UN Plan of Action pilot program.⁹² The implementation of such plans highlights also an opportunity to encourage and empower south-south cooperation, something in line with Security Council goals particularly in relation to security sector reform.⁹³

Conclusion and Questions for Further Research

Often risking their lives in cataclysmically dangerous situations to bring light to the truth, journalists are a necessary component of justice, understanding, and peace.⁹⁴ In a 1941 letter, CBS broadcaster Edward R. Murrow wrote: “I have no desire to use the studio as a privileged pulpit, but I am convinced that some very plain talking is required, even if it be at the price of being labeled a ‘warmonger.’ ... I am convinced that the hour is much later than most people at home appreciate.”⁹⁵ This freedom of expression and right to information was crucial to the multi-faceted war effort, from military and political engagement to social and community support.⁹⁶ To this day it often requires individuals like Murrow, working in the heart of conflict zones, to instigate the best action in pursuit of human rights, justice, and international peace and security.

In the current context of reporting in conflict zones, issues still remain. As technology advances so does journalism and the means by which the world receives information on armed conflicts. The July 2013 debate of the Security Council made it clear, that the individuals protected under in accordance with the *Geneva Conventions* are professional journalists. But in the context of ever-changing conflict situations, when traditional news outlets are unable to put individuals on the ground, the local population often via social medium, blogs, and other virtual mediums, become the reporters for their people. Thus, it is clearly in the benefit of the international community to adapt in the context of armed conflict to needs of journalists in the 21st century. Furthermore, there is debate in the

⁸⁴ Security Council Report, *July 2013 Monthly Forecast: Protection of Journalists* [Web site], 2013.

⁸⁵ UN DPI, *Veteran journalists, UN deputy chief urge Security Council to do more to protect reporters* [Web site], 2013.

⁸⁶ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁸⁷ UN DPI, *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release], 2013.

⁸⁸ Committee to Protect Journalists, *16 Journalists Killed in 2014/Motive Confirmed* [Web site], 2014.

⁸⁹ Committee to Protect Journalists, *16 Journalists Killed in 2014/Motive Confirmed* [Web site], 2014.

⁹⁰ UN DPI, *Veteran journalists, UN deputy chief urge Security Council to do more to protect reporters* [Web site], 2013.

⁹¹ UNESCO, *Guatemala launches a proposed mechanism for the protection of journalists* [Press Release], 2013.

⁹² UNESCO, *Promoting debate on freedom of expression with Brazilian Judiciary Power* [Press Release], 2013.

⁹³ UNESCO, UNOHCR, & UNDP, *Implementation Strategy 2013-2014: UN Plan of Action on the Safety of Journalist and the Issue of Impunity*, 2012.

⁹⁴ UN DPI, *World Press Freedom Day* [Web site], 2014.

⁹⁵ Olson, *Citizens of London*, 2010, p. 50.

⁹⁶ Olson, *Citizens of London*, 2010, p. 50.

Security Council itself whether or not to expand this topic – the protection of journalists – to times of non-conflict.⁹⁷ The three main questions facing the Security Council are: “how to ensure a safe and enabling environment for journalists; how to strengthen implementation of norms and mechanisms to protect journalists; and how to enhance the protection of journalists in non-armed conflict settings.”⁹⁸ In pursuing their research, delegates should also consider:

- What policy gaps still remain and what will have the greatest impact on and transformation of the protection of journalists in armed conflict?
- What measures can be taken to improve the pre-existing infrastructure and international legal framework established to protect journalists in armed conflict?
- What can the Security Council do to protect journalist in cases of non-traditional armed conflicts?

Annotated Bibliography

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Security Council Report. (2013, December 12). Arria Formula Meeting on Protecting Journalists. *What's in Blue Insights on the work of the Security Council* [Web site]. Retrieved 7 June 2014 from:

<http://www.whatsinblue.org/2013/12/arrria-formula-meeting-on-protecting-journalists.php>

What's in Blue is an online portal for decisions and actions reaching their final stage in the UN Security Council. Published by Security Council Report – the leading nongovernmental organization (NGO) covering the Security Council – this Web page offers insight into the December 2013 proceedings of the Security Council's meetings and briefings on the protection of journalists in armed conflict. Specifically, it details speakers and NGOs present and overall impressions of Security Council Member States relating to the key issues of the agenda item.

Simon, J. (2013). After Security Council, what next for journalist safety? *News & Analysis: Committee to Protect Journalists Blog* [Web site]. Retrieved 7 June 2014 from: <https://cpj.org/blog/2013/07/after-security-council-what-next-for-journalist-sa.php>

Executive Director of Committee to Protect Journalists, Joel Simon, wrote this article. This opinion piece gives insight into the perspectives of one of the leading members of civil society pursuing greater protection for journalists. It both analyzes the events of the 2013 Security Council debate and summarizes the next steps in the pursuit of journalist safety. For a greater understanding of how the debate is viewed in civil society, delegates should consult this source and this organization.

United Nations, Department of Public Information. (2013, July 17). *Deputy-Secretary-General, at Debate on Protecting Journalists in Armed Conflict, Urges Security Council to Stand Up against Suppression of Media Freedom (DSG/SM/683)* [Press Release]. Retrieved 7 June 2014 from:

<http://www.un.org/News/Press/docs/2013/dsgsm683.doc.htm>

This is a press release issued by the United Nations on the day of the Security Council open debate on the protection of journalists in armed conflict. It expressly gives the transcript of the UN Deputy Secretary-General (DSG) on his statement during the debate. For a look into the actual statements made at the debate, and issues discussed by the DSG, this release is a very good point of entry.

⁹⁷ Security Council Report, *Arria Formula Meeting on Protecting Journalists* [Web site], 12 December 2013.

⁹⁸ Security Council Report, *Arria Formula Meeting on Protecting Journalists* [Web site], 12 December 2013.

United Nations Educational, Scientific and Cultural Organization & the International Programme for the Development of Communication. (2012). *UN Plan of Action on the Safety of Journalists and the Issue of Impunity (CI-12/CONF.202/6)*. Retrieved 7 June 2014 from: www.unesco.org/webworld/en/UN-plan-safety

This is the UN Plan of Action. It is the watershed document for work being done by the United Nations on Journalists' safety and the issue of Impunity. Though it is UNESCO program, it holds great implications for international peace and security. For evidence of where work is being and needs to be done as well as for inspiration delegates of the Security Council should review carefully both the UN Plan of Action and the 2013-2014 Implementation Strategy, both found at this Web site.

United Nations, Security Council, 5613rd meeting. (2006, December 23). *Resolution 1738 (2006) [Civilians in armed conflict] (S/RES/1738)*. Retrieved 7 June 2014 from: [http://undocs.org/S/RES/1738\(2006\)](http://undocs.org/S/RES/1738(2006))

Security Council resolution 1738 (2006) is considered the first resolution to specifically detail the issue of journalists in armed conflict. However, it is not a robust of detailed implementation plan for ensuring the safety and security of this vulnerable population. Building on Resolution 1738 (2006) the Security Council held its first-ever open debate on the issue. In order to realize the next steps and path for advancement in regards to Security Council action, this resolution must be referenced and understood in full.

II. Women and Peace and Security: Sexual Violence in Conflict

“Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement.”⁹⁹

Introduction

Sexual violence in conflict cannot be considered a new phenomenon; indeed it dates back to the origin of conflicts.¹⁰⁰ Yet, until the early 1990s, the international community failed to take measures against conflict-related sexual violence.¹⁰¹ The war in the former Yugoslavia brought this topic to the attention of the United Nations (UN), as many sexual atrocities were systematically perpetrated against the civilian population and were, for the first time, acknowledged by the world.¹⁰² Today, the international community has taken significant actions to counter sexual violence, which is now formally recognized as a crime against humanity.¹⁰³

The term sexual and gender-based violence (SGBV) “encompasses a wide variety of abuses that includes sexual threats, exploitation, humiliation, assaults, molestation, domestic violence, incest, involuntary prostitution (sexual bartering), torture, insertion of objects into genital openings and attempted rape.”¹⁰⁴ SGBV broadly describes the abuses perpetrated against women to discriminate and exercise power and control over them.¹⁰⁵ SGBV may be politically motivated and therefore is seen heavily in conflict situations.¹⁰⁶ In this regard, conflict-related sexual violence refers to any crime committed against the civil population of a sexual nature such as rape, sexual slavery, unwanted pregnancy, and forced sterilization, which is directly or indirectly linked to a conflict.¹⁰⁷ Conflict-related

⁹⁹ *Report of the Fourth World Conference on Women, Beijing, 1995*, p. 49.

¹⁰⁰ United Nations Division for the Advancement of Women, Department of Economics and Social Affairs, *Sexual Violence and Armed Conflict: United Nations Response*, 1998, p. 2.

¹⁰¹ United Nations Division for the Advancement of Women, Department of Economics and Social Affairs, *Sexual Violence and Armed Conflict: United Nations Response*, 1998, p. 2.

¹⁰² United Nations Division for the Advancement of Women, Department of Economics and Social Affairs, *Sexual Violence and Armed Conflict: United Nations Response*, 1998, p. 2.

¹⁰³ *Rome Statute of the International Criminal Court*, 1998, Part II, art. 7.1.

¹⁰⁴ United Nations High Commissioner for Refugees, *Reproductive Health in Refugee Situations: an Inter-agency Field Manual*, chap. 4.

¹⁰⁵ United Nations High Commissioner for Refugees, *Reproductive Health in Refugee Situations: an Inter-agency Field Manual*, chap. 4.

¹⁰⁶ United Nations High Commissioner for Refugees, *Reproductive Health in Refugee Situations: an Inter-agency Field Manual*, chap. 4.

¹⁰⁷ United Nations Secretary-General, *Conflict-related Sexual Violence Report of the Secretary-General (S/2014/181)*, 2014, p. 1.

sexual violence can be used as a tool of war to spread terror and to destroy families and communities where women and girls play a pivotal role.¹⁰⁸ Sexual violence is also often used as a tool by conflicting parties to exacerbate and extend the duration of a conflict with the aim of hindering the restoration of international peace and security.¹⁰⁹ Moreover, the impact of conflict-related sexual violence on the population persists long after the end of a conflict.¹¹⁰ Sexual atrocities committed against women and girls can spread sexually transmitted diseases such as HIV, can be the cause of stigmatization, and prompt the change of the ethnic features of future generations.¹¹¹ In fact, as stated in Security Council resolutions 1325, 1820, 1888, and 1960, when sexual violence is systematically used as a weapon of war it constitutes a threat to the maintenance of international peace and security – one of the main goals of the UN and the principle mandate of the Security Council.¹¹²

During the Security Council open debate on 25 April 2014, Secretary-General Ban Ki-moon clearly stated that sexual violence is a human rights abuse that can be as destructive as “any bomb or bullet.”¹¹³ In fact, conflict-related sexual violence deprives women and girls from the exercise of their fundamental rights that are enshrined in the *Universal Declaration of Human Rights* (UDHR).¹¹⁴ According to the UDHR, every person, both in times of peace and in times of war, has unalienable rights such as the right of life, security and liberty, and the right not to be held in slavery nor to be subjected to cruel and degrading treatments.¹¹⁵

International Framework

Women in armed conflicts are vulnerable to all forms of violence, but especially sexual violence, and the consequences of these gross human rights violations affect both their physical and mental health.¹¹⁶ During times of conflict the rights of civilians are significantly constricted; the four *Geneva Conventions of 12 August 1949* and the two *Additional Protocols of 1977* primarily protect these rights and form the basis of international humanitarian law.¹¹⁷ In particular, Article 3, common to the four Geneva Conventions, prohibits the violation of personal dignity of any civilian that is not party to the armed conflict.¹¹⁸ Undeniably, it is possible to affirm that this provision also refers to sexual-related crimes and among its aims there is the protection of the physical integrity of women and girls.

In 1979 UN Member States adopted the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).¹¹⁹ CEDAW can be considered the *Magna Charta* of women’s human rights on the international level, and it is the only treaty that affirms the reproductive rights of women.¹²⁰ More recently, the commitment of the international community to end sexual violence during conflict was reaffirmed at the 68th session of the UN General Assembly, at an event co-chaired by the Secretary-General’s Special Representative on Sexual Violence in Conflict and the Foreign Secretary of the United Kingdom of Great Britain and Northern Ireland.¹²¹ At this event more than 140 UN Member States adopted the *Declaration of Commitment to End Sexual Violence in Conflict*.¹²² This

¹⁰⁸ United Nations Department of Public Information, *Conflict Related Sexual violence Destructive as ‘any Bomb or Bullet’, Secretary-General Tells Security Council Open Debate (SG/SM/15797)*, 2014.

¹⁰⁹ United Nations Security Council, *Resolution 1960 (S/RES/1960)*, 2010, p.3.

¹¹⁰ United Nations Secretary-General, *Sexual Violence in Conflict (S/2013/149)*, 2013, p. 2.

¹¹¹ Outreach Programme on the Rwanda Genocide and the United Nations, *Background Information on Sexual Violence Used as a Tool of War* [Web Site], 2014.

¹¹² *Charter of the United Nations*, 1945, Ch. I, art. 1(1).

¹¹³ United Nations Department of Public Information, *Conflict Related Sexual violence Destructive as ‘any Bomb or Bullet’, Secretary-General Tells Security Council Open Debate (SG/SM/15797)*, 2014.

¹¹⁴ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*, p. 56.

¹¹⁵ *The Universal Declaration of Human Rights*, 1948, art. 3,4,5.

¹¹⁶ United Nations Secretary-General, *Report of the Secretary-General on Women, Peace and Security (S/2002/1154)*, 2013, p. 1-2.

¹¹⁷ United Nations Secretary-General, *Report of the Secretary-General on Women, Peace and Security (S/2002/1154)*, 2013, p. 3.

¹¹⁸ *Convention I for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*, 1949, art. 3(c).

¹¹⁹ *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, 1979.

¹²⁰ UN Women, *Convention on the Elimination of All Forms of Discrimination against Women* [Web Site], 2014.

¹²¹ United Nations Security Council, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹²² United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

document embodies the clear commitment of its endorsing Member States to condemn such crimes and ensure the respect and the protection of women and girls' fundamental human rights during conflicts.¹²³

In order to assure the prosecution of perpetrators of the most serious international crimes and to fight impunity, in 2002 the Rome Statute entered into force and established the International Criminal Court (ICC).¹²⁴ In Article 7 of this treaty, the parties recognize “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity” as crimes against humanity.¹²⁵ In addition to the ICC, there are other important international tribunals that prosecute international crimes. The first international court ever to find a person guilty of rape as a crime against humanity was the International Criminal Tribunal for the former Yugoslavia (ICTY).¹²⁶ It was established in 1993 by Resolution 827 of the UN Security Council, and it has jurisdiction over crimes committed since 1991 in violation of humanitarian law in the former Yugoslavia.¹²⁷ In 2001 the ICTY adopted a landmark decision in the case *Prosecutor v. Kunarac*, which convicted three men of rape as a war crime and as a crime against humanity.¹²⁸ This decision also included sexual slavery in the definition of slavery as a crime against humanity.¹²⁹ It was the first decision of an international court to find a person guilty of rape as a crime against humanity.¹³⁰

Role of the United Nations System

The Commission on the Status of Women (CSW) is the commission of the Economic and Social Council (ECOSOC) that is dedicated to the promotion of gender equality and the empowerment of women.¹³¹ CSW has been responsible for organizing four World Conferences on Women, in Mexico (1975), Copenhagen (1980), Nairobi (1985), and Beijing (1995). During the Fourth World Conference on Women, UN Member States approved the *Beijing Declaration and Platform for Action*.¹³² These documents embody the global commitment to the protection of women's human rights and to their empowerment, both in public and private life.¹³³ The *Platform for Action* illustrates 12 areas of concern that UN Member States and the international community have about taking action on the commitments stated in the *Beijing Declaration*.¹³⁴ Among those concerns “violence against women” and the “effect of armed or other kinds of conflicts on women” are of paramount importance to counter sexual violence perpetrated against women and girls during conflicts.¹³⁵ In order to implement the *Beijing Declaration and Platform for Action*, the General Assembly convenes every five years in special sessions to review the progresses made by UN Member States and the international community. During its 23rd special session held in June 2000 in New York, the General Assembly approved a political declaration in which Member States recognized their primary responsibility and reaffirmed their commitment to the implementation of the *Beijing Declaration and Platform for Action*.¹³⁶

¹²³ United Nations General Assembly, *Letter Dated 26 November 2013 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Addressed to the Secretary-General (A/68/633)*, 2013, p. 3-5.

¹²⁴ *Rome Statute of the International Criminal Court*, 1998.

¹²⁵ *Rome Statute of the International Criminal Court*, 1998, Part II, art. 7.1.

¹²⁶ Outreach Programme on the Rwanda Genocide and the United Nations, *Background Information on Sexual Violence Used as a Tool of War* [Web Site], 2014.

¹²⁷ United Nations Security Council, *Resolution 827 (S/RES/827)*, 1993, p. 2.

¹²⁸ International Criminal Tribunal for the Former Yugoslavia, *Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic (Case No. IT-96-23/1-T)*, 2001.

¹²⁹ Outreach Programme on the Rwanda Genocide and the United Nations, *Background Information on Sexual Violence Used as a Tool of War* [Web Site], 2014.

¹³⁰ Outreach Programme on the Rwanda Genocide and the United Nations, *Background Information on Sexual Violence Used as a Tool of War* [Web Site], 2014.

¹³¹ UN Women, *Commission on the Status of Women* [Web Site], 2014.

¹³² *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*, chap. I, resolution 1, p.1.

¹³³ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*, chap. I, resolution 1, annex I, p.2-5.

¹³⁴ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*, chap. I, resolution 1, annex II, pp.16-17.

¹³⁵ *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*, chap. I, resolution 1, annex II, p.16.

¹³⁶ United Nations General Assembly, *Resolution adopted by the General Assembly, S-23/2 Political Declaration (A/RES/S-23/2)*, 2000.

There are numerous other UN bodies that also address SGBV and conflict-related sexual violence and promote the advancement of women. In 2007, the UN Action Against Sexual Violence in Conflict (UN Action) was established to link together the action of UN entities that have the common purpose of preventing and countering conflict-related sexual violence.¹³⁷ The Secretary-General's Special Representative on Sexual Violence in Conflict, Ms. Zaina Hawa Bangura, chairs this inter-agency network.¹³⁸ It has a small coordinating Secretariat, and it currently works with 13 UN entities: the Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO), the Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the High Commissioner for Human Rights (OHCHR), the Peacebuilding Support Office (PBSO), the UN Programme on HIV/AIDS (UNAIDS), the UN Development Programme (UNDP), the UN Population Fund (UNFPA), the UN High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF), the UN Office on Drugs and Crime (UNODC), the World Health Organization (WHO), and the UN Women.¹³⁹

UN Action aims to make UN efforts in countering and preventing sexual violence in conflict more effective by applying the principle of "delivering as one."¹⁴⁰ To do so, it supports UN missions at the national level, collects data related to sexual violence committed during conflict, and it works to raise public awareness and promote public condemnation of conflict-related sexual violence.¹⁴¹ In this respect, UN Action has outlined in collaboration with the DPKO and UN Women a framework of gender-sensitive early-warning indicators specific to sexual violence during conflict.¹⁴² These indicators take into account many relevant factors, such as demographic, political, institutional, social, and economic factors.¹⁴³ UN Action has also supported the delivery of scenario-based training to strengthen the response of peacekeeping troops.¹⁴⁴ The Security Council recently recognized the role of UN Action in Resolution 2106.¹⁴⁵ Specifically, the Security Council acknowledged its role "in facilitating coordinated responses of relevant peacekeeping, humanitarian, human rights, political and security actors" against conflict-related sexual violence and emphasized the need for greater coordination and information sharing.¹⁴⁶

The Role of the Security Council

In recent years, the Security Council has outlined a strong global framework to prevent conflict-related sexual violence.¹⁴⁷ In 2000, it adopted landmark Resolution 1325 (2000) on "women, peace and security" which required Member States to adopt a gender perspective during peace processes.¹⁴⁸ In this resolution, the Security Council recognized that civilians, especially girls and women, are increasingly affected by armed conflicts and that women must play an active role in conflict management and conflict resolution.¹⁴⁹ In this perspective, during peace negotiation and peace implementation processes the actors involved should take into consideration the needs of women and girls.¹⁵⁰ They should consider them as an integral part of such processes, which also have to be inclusive and sustainable.¹⁵¹ Resolution 1325 was followed by subsequent Security Council resolutions on conflict-related sexual violence. In resolutions 1820, 1888, and 1960 the Security Council clearly affirmed that sexual violence could be considered as a tool used by warring parties to worsen and extend the duration of a conflict so as to thwart

¹³⁷ O'Gommar, *Review of UN Action Against Sexual Violence in Conflict 2007-2012 Final Report*, 2013, p. vii.

¹³⁸ United Nations Department of Public Information, News and Media Division, *Conflict Related Sexual violence Destructive as 'any Bomb or Bullet', Secretary-General Tells Security Council Open Debate (SG/SM/15797)*, 2014.

¹³⁹ United Nations Action Against Sexual Violence in Conflict, *Strategic Framework 2011-2012*, 2011, p. 3.

¹⁴⁰ UN Department of Public Information, *Conflict Related Sexual violence Destructive as 'any Bomb or Bullet', Secretary-General Tells Security Council Open Debate (SG/SM/15797)*, 2014.

¹⁴¹ United Nations Action Against Sexual Violence in Conflict, *Strategic Framework 2011-2012*, 2011, p. 4-9.

¹⁴² UN Women, *Gender-Responsive Early Warning: Overview and How to Guide* [Report], 2012, p. 1.

¹⁴³ UN Women, *Gender-Responsive Early Warning: Overview and How to Guide* [Report], 2012, p. 6-8.

¹⁴⁴ United Nations Security Council, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 24.

¹⁴⁵ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013,

¹⁴⁶ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 3.

¹⁴⁷ United Nations Department of Information, *Conflict-related sexual violence "destructive as any bomb or bullet", Security Council told* [Web Site], 2014.

¹⁴⁸ United Nations Security Council, *Resolution 1325 (S/RES/1325)*, 2000, p. 3.

¹⁴⁹ United Nations Security Council, *Resolution 1325 (S/RES/1325)*, 2000, p. 1.

¹⁵⁰ United Nations Security Council, *Resolution 1325 (S/RES/1325)*, 2000, p. 2.

¹⁵¹ UN Department of Information, *Women's participation leadership crucial to peace processes – UN Security Council* [Web Site], 2013.

the restoration of international peace and security.¹⁵² More recently, the Security Council adopted Resolution 2106, which focuses on accountability and women's empowerment in the context of conflict-related sexual violence.¹⁵³ This means pursuing justice for crimes committed while simultaneously promoting women's inclusion in prevention processes as well as their needs in the aftermath of such crimes.

There are still many gaps and challenges to the implementation of this topic within the "women peace and security agenda," particularly around the issues of accountability for, and prosecution of, conflict-related sexual violence crimes.¹⁵⁴ These gaps were also highlighted in the UN Secretary-General's report of 4 September 2013.¹⁵⁵ To overcome such gaps, the Security Council recognized, in Resolution 2122, the vital role played by regional and sub-regional organizations in developing action plans and implementation of national and international frameworks to combat conflict related sexual violence.¹⁵⁶ It also affirms that women should play an active role in both conflict resolution and peacebuilding in order to further implement the "women peace and security agenda."¹⁵⁷

Assuring Accountability and Prosecution

According to international law, systematic sexual violence during conflict is a crime against humanity and "a constitutive act with respect to genocide," thus it cannot be left unpunished.¹⁵⁸ Assuring accountability and prosecution thus has two important aims: to bring perpetrators to justice and ensuring the protection of the victims.¹⁵⁹ At the national level, the Security Council affirms Member States' responsibility to investigate and prosecute the perpetrators of sexual violence that commit grave human rights violations under their jurisdiction.¹⁶⁰ It also encourages Member States to adapt and implement their national penal legislation to fulfill such responsibility.¹⁶¹ When it comes to transnational justice and to conflict-related sexual violence of international concern, the role of the International Criminal Court (ICC) and its *ad-hoc* tribunals is of paramount importance to counter impunity and assure justice to victims of sexual-related crimes during conflicts.¹⁶²

Unfortunately, there are many obstacles that can hinder the access to justice for the victims of conflict-related sexual violence.¹⁶³ Physical restrictions of survivors and inadequate local legislation can prevent victims of sexual violence from reporting such gross human rights violations.¹⁶⁴ Additionally, there are often stigmas and culture implications for victims coming forward.¹⁶⁵ Those that report these types of crimes may incur unbearable financial and social costs due to inadequate legislation and discrimination, respectfully.¹⁶⁶ In this regard, the work of the UN Team of Experts on the Rule of Law and Sexual Violence in Conflict is essential to supporting national authorities to create and implement aid services and protocols for the protection of victims and witnesses of sexual violence.¹⁶⁷ To further support this, the UN and civil society can work to establish the necessary infrastructures for upholding accountability and pursuing justice while also collecting data on the crimes and reporting human rights abuses on a greater scale. Doing this could enhance the actual protection of the victims of sexual violence as well as the strength

¹⁵² United Nations Security Council, *Resolution 1960 (S/RES/1960)*, 2010, p. 3.

¹⁵³ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013.

¹⁵⁴ United Nations Secretary-General, *Report of the Secretary-General on women peace and security (S/2013/525)*, 2013, p. 1.

¹⁵⁵ United Nations Secretary-General, *Report of the Secretary-General on women peace and security (S/2013/525)*, 2013, p. 1.

¹⁵⁶ United Nations Security Council, *Resolution 2122 (S/RES/2122)*, 2013, p. 3.

¹⁵⁷ United Nations Security Council, *Resolution 2122 (S/RES/2122)*, 2013, p. 3.

¹⁵⁸ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 2.

¹⁵⁹ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 2.

¹⁶⁰ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 2.

¹⁶¹ United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 2.

¹⁶² United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 3.

¹⁶³ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹⁶⁴ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹⁶⁵ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹⁶⁶ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹⁶⁷ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

of the policies.¹⁶⁸ As such, through its decisions, the Security Council must look for ways to ingrain the rights of women and girls into international policies, combat the incumbent systems that perpetuate violence against women, and seek to pursue accountability and prosecution for crimes of conflict-related sexual violence.

Conclusion

Systematical sexual violence perpetrated against women and girls during conflict is a delicate and issue that the international community faces. Such gross human rights violations, which have long lasting effects on the victims, are heightened by the lack of security and stability in countries in conflict situations.¹⁶⁹ Notwithstanding the unprecedented level of commitment within the international community to protect the unalienable rights of women and girls that has risen in recent years, more needs to be done to protect them from conflict-related sexual violence.¹⁷⁰ In this perspective, moving forward, the Security Council has stressed the importance of taking into consideration the needs of women and their participation during peace negotiations and peace implementation processes, which have to be inclusive and sustainable.¹⁷¹ A comprehensive approach should also be adopted when it comes to national and transnational justice both in conflict and post-conflict situations in order to assure prosecution and accountability for crimes related to sexual violence.¹⁷²

Bearing in mind the advancements made by the international community in protecting the rights of women and girls during conflict situations, delegates should seek to answer the following questions: what is the role of the UN Security Council in countering conflict-related sexual violence? What possible additional measures can be taken, both at a national and international level, to prevent and counter the use of sexual violence as a weapon of war? How should accountability and prosecution of crimes of sexual violence be pursued and enforced? In what ways can the international community provide better assistance to the victims' conflict-related sexual violence and support their reintegration into society?

Annotated Bibliography

O'Gommar, E. (2013). *Review of UN Action Against Sexual Violence in Conflict 2007-2012 Final Report*. Cambridge, UK. Retrieved 31 May 2014 from:
<http://www.stoprapenow.org/uploads/advocacyresources/1401281502.pdf>

This document reviews the work of UN Action Against Sexual Violence, from its establishment in 2007 through 2012. This review is critical to understanding the work of the inter-agency network, which seeks to coordinate the action of numerous UN entities in the fight against conflict-related sexual violence. It also applies the principle of "delivering as one," which is an important element of this work within the UN system.

United Nations, General Assembly. (1995). *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995 (A/CONF.177/20/Rev.1)*. Retrieved 31 May 2014 from:
<http://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20E.pdf>

This is the official report of the Fourth World Conference on Women where the Beijing Declaration and Platform for Action were codified. This report, which contains the official texts of these documents, is vital to understand the commitment of the international community to the protection of women's human rights and to their empowerment. As well, these documents form the basis for much of the current work towards women's rights and as such is a vital read for delegates to obtain a comprehensive understanding of the topic.

¹⁶⁸ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 4.

¹⁶⁹ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 2.

¹⁷⁰ United Nations Secretary-General, *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*, 2014, p. 3.

¹⁷¹ United Nations Security Council, *Resolution 1325 (S/RES/1325)*, 2000, p. 2.

¹⁷² United Nations Security Council, *Resolution 2106 (S/RES/2106)*, 2013, p. 3.

United Nations, Security Council. (2014, March 13). *Conflict-related Sexual Violence: Report of the Secretary-General (S/2014/181)*. Retrieved 31 May 2014 from: <http://undocs.org/S/2014/181>

This is the third annual report of the Secretary-General on the protection of women, men, and children from sexual violence in conflict and post-conflict situations. This document is a good source of up-to-date information on specific countries undergoing a conflict or a post-conflict situation and where the civilian population is affected by crimes related to sexual violence. Annexed to the report there is also a list of parties suspected of committing sexual violence during armed conflicts.

United Nations Security Council. (2013, September 4). *Report of the Secretary-General on women and peace and security (S/2013/525)*. Retrieved 31 May 2014 from: <http://undocs.org/S/2013/525>

This document reports the progresses and the gaps of the implementation of Security Council Resolution 1325. It also underlines that the Security Council has not always considered the link between security and the participation of women in its work. This report is an important read to understand further actions to be taken by the Security Council.

United Nations, Security Council, 4213rd meeting. (2000, October 31). *Resolution 1325 (2000) (S/RES/1325)*. Retrieved 31 May 2014 from: [http://undocs.org/S/RES/1325\(2000\)](http://undocs.org/S/RES/1325(2000))

Resolution 1325 is a landmark resolution that requires states to adopt a gender perspective during peace processes. In this resolution, the Security Council recognizes that civilians, especially women and girls, are increasingly affected by armed conflicts and that women play an active role in conflict management and conflict resolution. This document is essential for delegates to understand the actions taken by the Security Council to promote gender mainstreaming and protect women and girls from gender-based violence, as well as to understand all subsequent resolutions that followed in the Security Council on women, peace, and security.

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Rules of Procedure

United Nations Security Council

Introduction

1. These rules shall be the only rules which apply to Security Council and shall be considered adopted by the Council prior to its first meeting.
2. For purposes of these rules, the Director and the Assistant Director are designates and agents of the Secretary-General and Deputy Secretary-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Deputy Secretary-General or her/his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations (NMUN) and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Commission, which can be any member of the Secretariat or their designate.
5. The practice of striving for consensus in decision-making shall be encouraged. NMUN also acknowledges it may sometimes be necessary for a Member State to abstain or vote against a resolution it cannot support for policy reasons.

I. MEETINGS

Rule 1

Meetings of the Security Council shall, with the exception of the periodic meetings referred in rule 4, be held at the call of the President any time he or she deems necessary.

Rule 2

The President shall call a meeting of the Security Council at the request of any of its members.

Rule 3

The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter of the United Nations, or if the General Assembly makes recommendations or refers any questions to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.

Rule 4 - Periodic meetings

Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held at least once a year at such times the Security Council may decide.

The meeting at NMUN should be considered a periodic meeting

Rule 5 - Meeting location

Meetings of the Security Council shall normally be held at the seat of the United Nations.

Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place and the period during which the Council shall meet at such a place.

II. AGENDA

Rule 6

The Secretary-General, or his or her designate, shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.

Rule 7

The provisional agenda shall be drawn up by the Secretary-General and approved by the President of the Security Council. Only items which have been brought to the attention of the representatives of the Security Council in accordance with rule 6, items covered by rule 10, or matters which the Security Council had previously decided to defer, may be included in the provisional agenda.

Rule 8

The provisional agenda for a meeting shall be communicated by the Secretary-General to the representatives of the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 9 - Adoption of the agenda

The first item of the provisional agenda for each meeting of the Security Council shall be the adoption of the agenda.

The vote described in this rule is a procedural vote and, as such, it requires nine votes in favor to pass in accordance with Article 27 (2) of the United Nations Charter. The veto does not apply for procedural votes. All must vote on procedural votes. Should the Council not reach a decision by conclusion of the first night's meeting, the agenda will be automatically set in the order in which it was first communicated.

Rule 10

Any item of the agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless otherwise decided, automatically be included in the agenda of the next meeting.

Rule 11 - Periodic meetings – circulation of the agenda

The provisional agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before the opening of the meeting. Any subsequent change in or addition to the provisional agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the agenda at any time during a periodic meeting.

For purposes of this rule, the determination of an item as "urgent" is subject to the discretion of the Members of the Council. If an item is determined to be of such a character, then it requires nine votes in favor to be placed on the agenda. The votes described in this rule are substantive votes. For purposes of this rule, — the members "present and voting" — means members (not including observers) in attendance at the session during which this motion comes to vote.

III. REPRESENTATION AND CREDENTIALS

Rule 12

Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative of the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he or she takes her/his seat on the Security Council. The credentials shall be issued either by the Head of State or of the Government concerned or by its Minister of Foreign Affairs. The

Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.

Rule 13

Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by it for this purpose.

IV. PRESIDENCY

Rule 14 - Selection of the President

The Secretary-General or her/his designate shall serve as President and, inter alia, chair the Council for the duration of the session, unless otherwise decided by the Secretary-General.

Rule 15 - Replacement of the President

If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at the discretion of the Secretary-General or her/his designate.

V. SECRETARIAT

Rule 16 - Duties of the Secretary-General

The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.

Rule 17 - Oral and written statements

The Secretary-General or her/his designate, may make either oral or written statements to the Security Council concerning any question under consideration by it.

Rule 18 - Staff

The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.

Rule 19 - Notification of meetings

The Secretary-General shall give to representatives on the Security Council notice of meetings of the Security Council and of its commissions and committees.

Rule 20 - Duties of the Secretariat

The Secretary-General or her/his designate shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.

VI. CONDUCT OF BUSINESS

Rule 21 - Order of speakers

The President shall call upon representatives in the order in which they signify their desire to speak.

The President shall indicate the method in which they shall add speakers to a speakers list. One common method is by asking delegates to place their placards vertically to indicate the desire to speak.

Rule 22 - Subsidiary entities

The Security Council may appoint a commission or committee or a rapporteur for a specified question.

Rule 23

The President may accord precedence to any rapporteur appointed by the Security Council. The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.

Rule 24 - Appeal the Chair

If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Council favors the closure of debate, the Council shall immediately move to vote on all proposals introduced under that agenda item.

Rule 26

Principal motions and draft resolutions shall have precedence in the order of their submission. Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

Rule 27 - Order of motions

The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:

1. To suspend the meeting;
2. To adjourn the meeting;
3. To adjourn the meeting to a certain day or hour;
4. To refer any matter to a committee, to the Secretary-General or to a rapporteur;
5. To postpone discussion of the question to a certain day or indefinitely; or
6. To introduce an amendment *(not used at NMUN)*.

Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.

As the motion to adjourn the meeting, if successful, would end the meeting until the Council's next regularly scheduled meeting the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Council.

Rule 28

It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.

Rule 29 - Withdrawal of motions

A motion or draft resolution can at any time be withdrawn so long as no vote has been taken with respect to it.

Rule 30 - Order of voting on proposals

If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.

Rule 31 - Participation by Member States of the United Nations in Council Meetings

Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.

The Secretariat will determine which specific member of a delegation to approach. If the Council considers that the presence of a Member invited according to this rule is no longer necessary, it may withdraw the invitation again. Delegates invited to the Council according to this rule should also keep in mind their role and obligations in the committee that they were originally assigned to. For educational purposes of the NMUN Conference, the Secretariat may thus ask a delegate to return to his or her committee when his or her presence in the Council is no longer required.

Rule 32 - Participation by non-Member States in Council meetings

The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.

For the purposes of this rule, this, in most cases, invitations will be in line with Articles 31 and 32 of the Charter, which state that members whom are particularly affected by a situation under consideration or a party to a dispute under consideration may address the Council as observers. Should this be the case for a delegate, the Secretariat will inform them in line with Rule 31.

Rule 33 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least nine members of the Council are present. The presence of nine representatives of the Council shall be required for any decision to be taken.

Rule 34 - General powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Council, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Council and over the maintenance of order at its meetings. He or she shall rule on points of order. The President may propose to the Council the closure of the list of speakers, a limitation on the speakers time and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the power to assign speaking times for all speeches incidental to motions and amendment. Further, the President (will be referred to as "Chair" at the conference) is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used

on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference and is limited to entertaining motions.

Rule 35 - Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. They should be used exclusively to correct an error in procedure. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, on her/his own accord, during the speech. For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this motion comes to vote.

Rule 36

A representative may not, in rising to a point of order, speak on the substance of the matter under discussion.

Rule 37 - Speeches

No representative may address the Council without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, the Secretariat will set a time limit for all speeches which may be amended by the Council through a vote if the President, at his or her discretion, decides to allow the Council to decide. In no case shall the speakers time be changed during the first scheduled session of the Council. Consequently, motions to alter the speaker's time will not be entertained by the President during the first session. The content of speeches should be pertinent to the agenda as set by the Council.

Rule 38 - List of Speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate, the President may announce the list of speakers and, with the consent of the Council declare the list closed. Once the list has been closed, it can be reopened upon by a vote of the Council. When there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Council

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Council. A motion to close the speakers list or reopen (if the list has already been closed) is within the purview of the Council and the President should not act on her/his own motion.

Rule 39 - Right of reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that impugns the integrity of a representative's State is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Council by the

representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose. The right of reply will not be approved should it impugn the integrity of another State.

Rule 40 - Suspension of the meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. Delegates should not state a purpose for the suspension.

This motion should be used to suspend the meeting for lunch or at the end of the scheduled Council session time. Delegates should properly phrase this motion as "suspension of the meeting," and provide a length of time when making the motion.

Rule 41 - Adjournment of the meeting

During the discussion of any matter, a representative may move to the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Council shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Committee's next regularly scheduled session the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Committee.

Rule 42 - Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Two representatives may speak in favor of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 43 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Council favors the closure of debate, the Council shall immediately move to vote on all proposals introduced under that agenda item

Rule 44 - Withdrawal of motions

A motion may be withdrawn by its proposer at any time before voting has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

Rule 45 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Council, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately. The President may limit the time to be allowed to speakers under this rule.

VII. VOTING

Rule 46 - Majority required

Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.

According to Article 27(2) of the Charter, decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members. Article 27(3) states that all (substantive) decisions shall be made by an affirmative vote of nine members including the concurring votes of the permanent members, which is interpreted as to refer to no vetoes.

Rule 47 - Request for a vote

A proposal or motion before the Council for decision shall be voted upon if any member so requests. Where no member requests a vote, the Council may adopt proposals or motions without a vote.

For purposes of this rule, proposal means any draft resolution, an amendment thereto, or a portion of a draft resolution divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote. Adoption by "acclamation" or "without a vote" is in line not only with the educational mission of the conference but also the way in which the United Nations adopts a majority of its proposals.

Rule 48 - Method of voting

The Council shall normally vote by a show of placards, except that a representative may request a roll-call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each member shall be called in any roll-call, and one of its representatives shall reply "yes," "no," "abstention," or "pass."

Only those members who designate themselves as present or present and voting during the attendance roll-call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying pass must, when requested a second time, respond with either a yes or no vote. A pass cannot be followed by a second pass for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

Rule 49 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends. Only delegates who are sponsors of a draft resolution that has been adopted with an unfriendly amendment, whom subsequently voted against the draft resolution, may explain their vote.

Rule 50 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

For purposes of this rule, there shall be no communication among delegates, and if any delegate leaves the Council room during voting procedure, they will not be allowed back into the room until the Council has

convened voting procedure. Should a delegate who is also serving as Head Delegate leave the room, they may reenter but they may not retake their seat and participate in the vote.

Rule 51 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If an objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are approved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

For purposes of this rule, most radical division means the division that will remove the greatest substance from the draft resolution, but not necessarily the one that will remove the most words or clauses. The determination of which division is most radical is subject to the discretion of the Secretariat, and any such determination is final.

Rule 52 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal. Permission to speak on the amendment shall be given only to two speakers in favor and two speakers against.

An amendment can add, amend, or delete entire operative clauses, but cannot in any manner add, amend, delete, or otherwise affect preambular clauses or sub-clauses of operative clauses. The President may limit the time to be allowed to speakers under this rule. These speeches are substantive in nature.

Rule 53 - Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, furthest removed in substance means the amendment that will have the most significant impact on the draft resolution. The determination of which amendment is furthest removed in substance is subject to the discretion of the Secretariat, and any such determination is final.

Rule 54 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the committee decides otherwise, be voted on in the order in which they were accepted by the dais.

Rule 55 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VIII. LANGUAGE

Rule 56 - Official and working language

English shall be the official and working language of the Security Council during scheduled sessions of the Council.

Rule 57 - Interpretation (oral) or translation (written)

Any representative wishing to address any body or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit. The language should be the official language of the country you are representing at NMUN.