

General Assembly Fourth Committee

Introduction

The General Assembly Fourth Committee convened for its 68th session on 3 October, 2013. This update contains a snapshot of important policy outcomes from the 68th session, as well as a brief review of the process of implementation for those outcomes. The purpose is to clarify the role of the Fourth Committee, elucidate important partnerships between the Fourth Committee and other bodies within the UN System, and to demonstrate how resolutions are implemented institutionally.

Recent Activity

The Fourth Committee held twenty-seven meetings chaired by Garcia Gonzalez (El Salvador) between October 3, 2013 and November 14, 2013, after which the Committee formally recessed its 68th session on December 17, 2013.¹ The Committee considered a range of topics, from the effects of atomic radiation to international cooperation on the peaceful uses of outer space, producing twenty-eight draft resolutions.² The Plenary Committee adopted twenty-six of these resolutions on December 11, 2013.³ Historically, the Fourth Committee has only dealt with about eleven topics allocated by the General Committee.⁴ However, the General Committee recently allocated a new topic to the Fourth Committee, “Comprehensive Review of Special Political Missions,” in 2012.⁵ Notably, the Fourth Committee produced its first text on special political missions, *Comprehensive Review of Special Political Missions (A/RES/68/85)* (2013), at the 68th session.⁶ The resolution requests dialogue on overall policy matters, as well as a report by the Secretary-General on overall policy matters, “including efforts towards ensuring transparency, accountability, geographical representation, gender participation, expertise and effectiveness in respect of all special political missions” for consideration at the 69th session.⁷

In addition to its text on special political missions, the Fourth Committee forwarded several other important resolutions this year. First, the Committee adopted two steering resolutions, General Assembly resolution 68/82 (2013) and General Assembly resolution 68/83 (2013), based on the most recent report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.⁸ In the report, the Special Committee alleges that it has confirmed of a number of disturbing trends perpetrated by the State of Israel, and calls upon the government of Israel to cease a number of disreputable practices immediately in order to comply with the State’s obligations as a Member State.⁹ In other areas, the Fourth Committee adopted resolutions on the freedoms of press and information, the effects of atomic radiation, international cooperation on the peaceful uses and exploration of outer space, assistance in mine action, as well as several resolutions on non-self-governing territories, and the implementation of the declaration on granting independence to colonial countries and peoples.¹⁰ The text on the freedom of information, *Information in the Service of Humanity* (2013), is particularly compelling in light of current events, where the freedoms of information and press have been crucial in shaping entire revolutionary movements.¹¹

¹ UN General Assembly, *Summary Record of the First Meeting (A/C.4/68/SR.1)*, 2013, p. 2; UN General Assembly, *Organization of Work (A/C.4/68/L.1)*, 2013, pp. 1-4.

² *Ibid.*, pp. 1-5; UN General Assembly, *Resolutions: 68th Session* [Website], 2013; For a complete, ordered list of agenda items, see UN General Assembly, *Allocation of Items to the Special Political and Decolonization Committee (Fourth Committee) (A/C.4/68/1)*, 2013.

³ UN General Assembly, *Documents of the Special Political and Decolonization Committee (Fourth Committee) (A/C.4/68/INF/1)*, 20 September 2013, pp. 1-5; UN General Assembly, *Resolutions: 68th Session* [Website], 2013.

⁴ UN General Assembly, *Historical and Analytical Note on the Practices and Working Methods of the Main Committees (A/58/CRP.5)* [Conference Room Paper], 2004, p. 4.

⁵ UN General Assembly, *Comprehensive Review of Special Political Missions (A/RES/67/123)*, 2012, p. 2.

⁶ UN General Assembly, *Resolutions of the 68th Session* [Website], 2013.

⁷ UN General Assembly, *Comprehensive Review of Special Political Missions (A/RES/68/85)*, 2013, p. 2.

⁸ UN General Assembly, *Resolutions of the 68th Session* [Website], 2013.

⁹ UN General Assembly, *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/68/379)*, 2013, pp. 17-19.

¹⁰ UN General Assembly, *Resolutions of the 68th Session* [Website], 2013.

¹¹ UN General Assembly, *Information in the Service of Humanity (A/RES/68/86)* [Resolution], 2013.

The Chair received multiple communications requesting hearings on several non-self-governing territories, which he recommended be circulated as discrete Committee documents for consideration at a successive meeting.¹² Finally, the Committee decided its programme of work and timetable for the 69th session, with twenty-five meetings scheduled between 2 October to 14 November 2014.¹³

Recent Policy Outcomes

Due to the peculiar nature of the Fourth Committee, the outcomes of the 68th session are relatively heavy-handed recommendations on a small range of controversial topics. Although not present in all documents, some underlying themes include: 1) the suggestion that Member States ought to capitalize on the overall increase in available resources due to enlarged institutional involvement by regional organizations and non-governmental organizations; 2) support for the collection and distribution of relevant intelligence to regional, governmental, and non-governmental organizations to aid those organizations in creating informed policy on critical issues; and 3) urging Member States to fully establish and/or maintain jurisdiction over the actions of citizens, legal persons, or non-governmental entities within each state or territory under its control through competent state institutions.¹⁴ The most forceful recommendations are those related to Israeli practices affecting the rights of the Palestinian people and other Arabs in the occupied territories. The Fourth Committee demands immediate action on the part of the government of Israel to fulfill its obligations under international law.¹⁵ The intent of these resolutions is clear and vigorous in support of the human and civil rights of Palestinians and other Arabs in the occupied territories. On multiple topics, the Committee made specific recommendations designed to strengthen national agency, including recommendations for national legislation and national regulatory frameworks.¹⁶ On the questions of non-self-governing territories, granting independence to colonial countries and peoples, and decolonization, the clearest theme is continued dialogue in the spirit of cooperation and harmony, with a view towards consensus.¹⁷

Policy Implementation

In addition to creating policy outcomes, the UN also attempts to implement those outcomes on an international scale. Articles 10 and 14 of the *Charter of the United Nations* (1945) authorize the General Assembly to issue non-binding, non-self-executing recommendations to Member States.¹⁸ Historically, these recommendations have been in the form of General Assembly resolutions or declarations. Although General Assembly resolutions and declarations are not codified under Article 38 of the Statute of the International Court of Justice (1946) as a source of international law, scholars generally agree that General Assembly resolutions play a firm role in the creation of international law, perhaps by elucidating normative standards.¹⁹ Ultimately, whether the recommendations of any General Assembly resolution are implemented is contingent upon the presence or absence of political will at the highest levels of government, and by each Member State individually.

Conclusion

The Fourth Committee continues to play an important role in identifying and addressing difficult questions on “decolonization, Palestinian refugees and human rights, peacekeeping, mine action, outer space, public information, atomic radiation and University for Peace.”²⁰ The aim of the General Assembly has always been to generate

¹² UN General Assembly, *Summary Record of the 2nd Meeting (A/C.4/68/SR.2)*, 2013, p. 3.

¹³ UN General Assembly, *Proposed Programme of Work and Timetable of the Special Political and Decolonization Committee or the sixty-ninth session of the General Assembly (A/C.4/68/L.10)* [Draft Decision], 2013, pp. 2-3.

¹⁴ UN General Assembly, *Resolutions of the 68th Session* [Website], 2013.

¹⁵ UN General Assembly, *Israeli Practices Affecting the Human Rights of Palestinian People in the Occupied Palestinian Territories, Including East Jerusalem (A/RES/68/83)* [Resolution], 2013.

¹⁶ UN General Assembly, *Questions Related to Information (A/RES/68/86)* [Resolution], 2013; UN General Assembly, *International Cooperation in the Peaceful Uses of Outer Space (A/RES/68/75)* [Resolution], 2013; UN General Assembly, *Recommendations on National Legislation Relevant to the Peaceful Exploration and Use of Outer Space (A/RES/68/74)* [Resolution], 2013; UN General Assembly, *Effects of Atomic Radiation (A/RES/68/73)* [Resolution], 2013.

¹⁷ UN General Assembly, *Resolutions of the 68th Session* [Website], 2013: see resolutions A/RES/68/87-A/RES/68/97.

¹⁸ United Nations, *Charter of the United Nations*, 1945.

¹⁹ International Court of Justice, *Statute of the International Court of Justice*, 1946; Kerwin, *The Role of United Nations General Assembly Resolutions in Determining Principles of International Law in United States Courts* (1983), pp. 877-898.

²⁰ UN General Assembly, *Special Political and Decolonization: Fourth Committee* [Website], 2013.

discussion on critical issues with a view towards consensus, in order to facilitate a peaceful settlement of situations that could otherwise impair friendly international relations.²¹ Each resolution adopted by the Committee reflects a level of commitment by each Member State to strive for political, economic, humanitarian, social, and legal justice.

The General Assembly Fourth Committee at NMUN•NY 2014

The General Assembly Fourth Committee (Fourth Committee) is one of the six Main Committees of the United Nations General Assembly.²² Also called the Special Political and Decolonization Committee, it deals with a wide range of issues including Palestinian refugees and human rights, peacekeeping, public information, outer space, mine action, atomic radiation, University for Peace, and topics related to decolonization.²³

Format: The General Assembly Fourth Committee is a resolution writing committee.

Voting: Each Member State present may vote once on procedural and substantive matters. Matters are decided by a majority vote.

Membership: The General Assembly is comprised of all 193 Member States of the UN, as outlined in Article 9 of the Charter. Each Member State has one vote, regardless of its population or geography.

Annotated Bibliography

Kerwin, G. (1983). Duke Law Journal Vol. 1983: 876. *The Role of United Nations General Assembly Resolutions in Determining Principles of International Law in United States Courts*. Retrieved 1 January 2014 from: <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2852&context=dlj>

This scholarly article considers the effects of General Assembly resolutions on international law. The author does an excellent job of summarizing two opposing arguments on whether General Assembly resolutions ought to be considered authoritative sources of international law. The text concludes that General Assembly resolutions are not authoritative sources of international law, although they do play a role in shaping international norms.

United Nations, General Assembly, Sixty-eighth session. (2013, December 16). *Israeli Practices Affecting the Human Rights of Palestinian People in the Occupied Palestinian Territories, Including East Jerusalem (A/RES/68/83)* [Resolution]. Retrieved 1 February 2014 from: www.undocs.org/A/RES/68/83

The Fourth Committee's stance on protecting the human rights of the Palestinian people and other Arabs in the occupied Palestinian territories is clearly one issue that the General Assembly is willing to exert political clout for. It is not often that the General Assembly issues such forceful recommendations. By making such forward demands, the General Assembly is making a rare and powerful statement that delegates ought to pay close attention to.

United Nations, General Assembly, Sixty-eighth session. (2013). *Resolutions: 68th Session* [Website]. Retrieved 1 January 2014 from: <http://www.un.org/en/ga/68/resolutions.shtml>

This website shows all resolutions adopted by all committees of the General Assembly at the 68th session. Rather than list poignant resolutions individually, I believe there is more utility in providing a complete list. The list provides codes, links to the texts, as well as voting outcomes.

United Nations, General Assembly, Sixty-eighth session. (2013, September 11). *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/68/379)*. Retrieved 3 January 2014 from: www.undocs.org/A/68/379

The human rights of the Palestinian people is one of the central topics in the Fourth Committee. As stated in the text of the update, this document is a searing critique of multiple practices of the

²¹ UN General Assembly, *Functions and Powers of the General Assembly* [Website], 2013.

²² UN General Assembly, *Main Committees* [Website], 2013; United Nations, *UN Documentation: General Assembly – Main Committees*.

²³ UN General Assembly, *Special Political and Decolonization* [Website], 2013.

Israeli government perpetrated against Palestinians and other Arabs in the occupied territories. The force of the recommendations is what makes this report stand out as something that delegates ought to pay particular attention to.

United Nations, General Assembly, Sixty-eighth session. (2013, September 20). *Organization of Work (A/C.4/68/L.1)* [Note by the Chair]. Retrieved 1 January 2014 from: www.undocs.org/A/C.4/68/L.1
This document shows the ordered agenda of the 68th session. It should help delegates to understand how the General Assembly operates, for example by demonstrating that similar topics are grouped together while others are considered individually. Further, it includes the dates and duration of all debate for the Fourth Committee's 68th session.

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United Nations. (1945, October 24). *Charter of the United Nations (1 UNTS XVI)*. Retrieved 1 January 2014 from: <http://www.un.org/en/documents/charter/>

United Nations, General Assembly. Fifty-eighth session. (2004, July 13). *Further Measures for the Revitalization of the Work of the General Assembly (A/RES/58/316)* [Resolution]. Revitalization of the Work of the General Assembly. Retrieved 1 January 2014 from: www.undocs.org/A/RES/58/316

United Nations, General Assembly, Fifty-eighth session . (2004, March 10). *Historical and Analytical Note on the Practices and Working Methods of the Main Committees (A/58/CRP.5)* [Conference Room Paper]. Revitalization of the Work of the General Assembly. Retrieved 1 January 2014 from: www.undocs.org/A/58/CRP.5

United Nations, General Assembly, Sixty-eighth session. (2013, December 16). *Israeli Practices Affecting the Human Rights of Palestinian People in the Occupied Palestinian Territories, Including East Jerusalem (A/RES/68/83)* [Resolution]. Retrieved 1 February 2014 from: www.undocs.org/A/RES/68/83

United Nations General Assembly, Sixty-eighth session. (2013, December 17). *Information in the Service of Humanity (A/RES/68/86, part A)* [resolution]. Retrieved 8 January 2014 from: www.undocs.org/A/RES/68/86

United Nations General Assembly, Sixty-eighth session . (2013, December 18). *Comprehensive Review of Special Political Missions (A/RES/67/123)* [Resolution]. Retrieved 8 January 2014 from: www.undocs.org/A/RES/67/123

United Nations General Assembly, Sixty-eighth session . (2013, November 7). *Proposed Programme of Work and Timetable of the Special Political and Decolonization Committee for the sixty-ninth session of the General Assembly (A/C.4/68/L.10)* [draft decision]. Retrieved 1 January 2014 from: www.undocs.org/A/C.4/68/L.10

United Nations General Assembly, Sixty-eighth session . (2013, October 9). *Summary Record of the 1st Meeting (A/C.4/68/SR.1)*. Retrieved 8 January 2014 from: www.undocs.org/A/C.4/68/SR.1

United Nations General Assembly, Sixty-eighth session . (2013, October 24). *Summary Record of the 2nd Meeting (A/C.4/68/SR.2)*. Retrieved 8 January 2014 from: www.undocs.org/A/C.4/68/SR.2

United Nations, General Assembly, Sixty-eighth session . (2013). *Resolutions: 68th Session* [Website]. Retrieved 1 January 2014 from: <http://www.un.org/en/ga/68/resolutions.shtml>

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I. Civilian Capacity in the Aftermath of Conflict

Introduction

Civilian capacity in the aftermath of conflict is a multifaceted issue that is treated by several bodies inside and outside of the United Nations (UN) system, and in different contexts such as peacebuilding and peacekeeping operations. The fragility of countries in post-conflict situations makes it difficult for them to access the necessary personnel, which is why strengthening civilian capacity is essential to peacebuilding efforts. Sub-thematic issues reflected in recent developments include the UN Civilian Capacities (CivCap) initiative, gender, and the *New Deal*.

On 28 October 2013, the Fourth Committee (GA4) began its review of peacekeeping operations and special political missions pursuant to items 53 and 54 of the agenda for its 68th session.²⁴ While the Fourth Committee was largely focused on the theme of civilian protection, briefings from staff members and discussions among Member States also noted the importance of involving civilians effectively in peacebuilding processes. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, emphasized in his briefing that “civilians in multidimensional peacekeeping played a critical advisory and bridging role,” particularly with respect to building strong national capacities in rule of law and security enforcement.²⁵ Rina Soemarno of Indonesia, in association with the Non-Aligned Movement and the Association of South-East Asian Nations (ASEAN), underscored the need to provide peacekeepers and civilian components with “the required equipment, resources, and training. Gaps not only risked lives, but also jeopardized fulfillment of mandates.”²⁶

Although no specific resolution or report was adopted on the topic itself in the last session, steps taken by other UN bodies are nonetheless noteworthy. On 18 October 2013, the Security Council adopted resolution 2122 (2013) on “Women and Peace and Security,” in which the Council reiterated the need to “ensure the enhancement of women’s engagement in conflict prevention, resolution and peacebuilding.”²⁷ This resolution is underpinned by the Seven Point Action Plan on Women’s Participation in Peacebuilding, which identifies civilian capacity as one of the priority areas.²⁸ Further, on 12 December 2013, the President of the Security Council made a statement on peace and security in Africa, underlining the “importance of national and regional ownership of the United Nations Integrated Strategy for the Sahel.”²⁹ This echoes the Secretary-General’s 2009 report on peacebuilding in the immediate aftermath of conflict (A/63/881-S/2009/304), in which national ownership of peacebuilding processes was deemed indispensable.³⁰ Also in December, the Secretary-General submitted the fourth annual progress report on the implementation of the global field support strategy, in which he underlined the measures taken by missions to “strengthen national staff capacity-building and skills training.”³¹ One of the accomplishments highlighted in the report is the increase in the recruitment and deployment of civilian personnel, with a total of 13,205 rostered civilian experts.³²

At the regional level, the capacity-building programme “Europe’s New Training Initiative for Civilian Crisis Management” (ENTRI) published the handbook *In Control: A Practical Guide for Civilian Experts Working in Crisis Management Missions*.³³ Furthermore, the Berlin Center for International Peace Operations published a policy briefing called *The European Union and UN Peacekeeping - Half-time for the EU’s Action Plan* in October 2013, and another one on *Strengthening African Peace Support Operations: Nine Lessons for the Future of the African*

²⁴ UN General Assembly, *Allocation of agenda items to the Special Political and Decolonization Committee* [Agenda], 2013.

²⁵ UN DPI, *UN peacekeeping, seen as confronting lingering forces of conflict, remains effective tool in transition to peace, Fourth Committee told* [Press Release], 2013.

²⁶ UN DPI, *For peacekeeping operations deploying into volatile situations, proper training, equipment, political neutrality underpin success, Fourth Committee told* [Press Release], 2013.

²⁷ UN Security Council, *Resolution 2122 (2013) [Women and peace security] (S/RES/2122 (2013))*, 2013.

²⁸ UN General Assembly, *Women’s participation in peacebuilding: Report of the Secretary-General (A/65/354)*, 2010.

²⁹ UN Security Council, *Statement by the President of the Security Council (S/PRST/2013/20)*, 2013.

³⁰ UN General Assembly, *Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict (A/63/881-S/2009/304)*, 2009.

³¹ UN General Assembly, *Fourth annual progress report on the implementation of the global field support strategy: Report of the Secretary-General (A/68/637)*, 2013.

³² *Ibid.*

³³ ENTRI, *Europe’s New Training Initiative for Civilian Crisis Management* [Website], 2013; ENTRI, *In Control: A Practical Guide for Civilian Experts Working in Crisis Management Missions*, 2013.

Standby Force in December 2013.³⁴ Both policy briefings give interesting insights on the regional developments in peacekeeping.³⁵ Among other organizations working on the issue of civilian capacity are the Learning Network on Capacity Development (LenCD) and the Norwegian Peacebuilding Resource Center.³⁶

Recent Developments

CivCap Initiative

On 29 July 2013, the CivCap Initiative published a *Guidance Note for Effective Use and Development of National Capacity in Post-Conflict Contexts*.³⁷ In addition to providing advice and resources for UN civilian personnel, the note also outlines ten principles to guarantee that capacity development programmes are based on national ownership.³⁸ CivCap also published a note about *Options to promote national ownership and state-citizens confidence in project design*.³⁹

Gender

On 26 September 2013 the Peacebuilding Commission held its seventh session, during which a Declaration was made on “Women’s economic empowerment for peacebuilding.”⁴⁰ The Declaration underlines the role of women in peacebuilding as well as post-conflict reconstruction and economic recovery.⁴¹ Member States and international organizations are urged to improve women’s participation in peace processes by promoting their leadership and capacity.⁴² In October 2013, the Organisation for Economic Co-operation and Development published a report on *Gender and Statebuilding in Fragile and Conflict-affected States*.⁴³ The Norwegian Institute of International Affairs also published several policy briefs in relation to gender issues, including *Countering ‘Malestreaming’: Integrating the Gender, Peace and Security Agenda in Peace Operations in Africa*.⁴⁴ These documents stress the importance of including women in peacebuilding processes, as did previous resolutions adopted at the UN. The reports mentioned here offer more specific recommendations such as the establishment of “regular and institutionalized mechanisms for consulting with local women’s organizations on priorities and recommendations in relation to the statebuilding process.”⁴⁵

The New Deal

The *New Deal for Engagement of Fragile States* emphasizes the importance of national ownership over peacebuilding processes in post-conflict situations.⁴⁶ It is therefore a key element for understanding and improving civilian capacity in the aftermath of conflict.

On 16 September 2013, the Somali Government adopted a New Deal programme for the period of 2014-2016.⁴⁷ The *Somali New Deal Compact* rests on the five Peace and Statebuilding Goals (SPG), namely Inclusive Politics, Security, Justice, Economic foundations, and Revenues and Services.⁴⁸

On 25 September 2013, a High-Level Ministerial Meeting on the Humanitarian Crisis in the Central African Republic (CAR) and the International Response was held in New York.⁴⁹ Participants to the meeting recognized the

³⁴ ZIF, *Policy Briefings* [Website], 2013.

³⁵ ZIF, *The European Union and UN Peacekeeping - Half-time for the EU’s Action Plan*, 2013; ZIF, *Strengthening African Peace Support Operations: Nine Lessons for the Future of the African Standby Force*, 2013.

³⁶ LenCD, *Learning Network on Capacity Development* [Website], 2013; NOREF, *Norwegian Peacebuilding Resource Center* [Website], 2013.

³⁷ UN Civilian Capacity, *Guidance Note for Effective Use and Development of National Capacity in Post-Conflict Contexts* [Note], 2013.

³⁸ Ibid.

³⁹ UN Civilian Capacity, *Options to promote national ownership and state-citizens confidence in project design* [Note], 2013.

⁴⁰ UN Peacebuilding Commission, *Women’s Economic Empowerment for Peacebuilding (PBC/7/OC/3)* [Declaration], 2013.

⁴¹ Ibid.

⁴² Ibid.

⁴³ OECD, *Gender and Statebuilding in Fragile and Conflict-affected States*, 2013.

⁴⁴ Norwegian Institute of International Affairs, *Policy Briefs* [Website], 2013.

⁴⁵ OECD, *Gender and Statebuilding in Fragile and Conflict-affected States*, 2013.

⁴⁶ International Dialogue on Peacebuilding and Statebuilding, *The New Deal*, 2011.

⁴⁷ European Commission, *The Nuts and Bolts of the New Deal for Somalia* [Website], 2013.

⁴⁸ Ibid.

need for “longer-term work to address the causes of fragility in CAR in line with the New Deal.”⁵⁰ The context of violence and retaliation in CAR later led the United Nations Security Council to adopt resolution 2127 on the situation in the Central African Republic on 5 December 2013, in which it authorized the deployment of an African-led and French-backed peacekeeping force.⁵¹ Although the New Deal and civilian capacity in general were not mentioned in the resolution of the Security Council, it would be interesting to see in future developments if and how the mission adopts the New Deal as recommended by the participants at the High-Level Ministerial Meeting.

On 28 September 2013, a *New Deal Dashboard* (NDD) was launched in Liberia by the Ministry of Finance’s Aid Management Unit and the United Nations Development Programme (UNDP). This online tool will allow tracking and providing information on peacebuilding projects, in line with the SPG of the New Deal.⁵²

Conclusion

There was no resolution adopted at the UN during the previous months, but given the diversity of issues it is linked to, developments on the general topic continue in a range of fora across the United Nations system. Moreover, the different organizations working on this issue provide a constant stream of information that offers a pool of new challenges and solutions. These include implementing the *New Deal* in newly established peacebuilding and peacekeeping missions, such as in CAR, as well as incorporating gender considerations into civilian capacity initiatives, such as through supporting women’s civil society organizations.

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The Berlin Center for International Peace Operations has contributed to the debate on civil capacity by publishing various reports and notes. Their policy briefings are a very interesting source of information, as they provides delegates with condensed analysis and policy recommendations. The website also contains other publications related to the topic at hand that will be useful for deepening one’s knowledge.

LenCD. (2013). *Learning Network on Capacity Development* [Website]. Retrieved 16 January 2014 from: <http://www.len.cd.org/>

The Learning Network on Capacity Development website is a useful resource in a variety of issues linked to civilian capacity. Delegates will find information on topics of interest such as capacity development in fragile situations or civil society and private sector engagement. They will also have access to a library containing publications on these topics, as well as case stories concerning different countries. This in particular will be useful for delegates wishing to gain more specific and country-related information.

NOREF. (2013). Norwegian Peacebuilding Resource Center [Website]. Retrieved 16 January 2014 from: <http://www.peacebuilding.no/>

This website focuses on peacebuilding and related issues, and offers several useful sections. First, a section dedicated to publications emanating from the Norwegian Peacebuilding Resource Center as well as book reviews. Second, a section organized by regions facilitates country-specific research. The third section is divided in themes that relate to peacebuilding. Overall, the website contains both analytical content and news updates.

Organisation for Economic Co-Operation and Development. (2013). *Gender and Statebuilding in Fragile and Conflict-affected States*. OECD. Retrieved 16 January 2014 from: <http://www.keepeek.com/Digital-Asset->

⁴⁹ High-Level Ministerial Meeting on the Humanitarian Crisis in the Central African Republic and the International Response, *Co-Chairs’ Conclusions*, 2013.

⁵⁰ Ibid.

⁵¹ UN DPI, *Central African Republic: Security Council approves new peacekeeping force* [Article], 2013.

⁵² UN Liberia, *Liberia launches system to track peacebuilding projects* [Website], 2013.

[Management/oecd/development/gender-and-statebuilding-in-fragile-and-conflict-affected-states_9789264202061-en?utm_source=social-media&utm_medium=twfbgppin&utm_campaign=OECDtw#page1](http://www.oecd.org/development/gender-and-statebuilding-in-fragile-and-conflict-affected-states_9789264202061-en?utm_source=social-media&utm_medium=twfbgppin&utm_campaign=OECDtw#page1)

Gender and civilian capacity are intrinsically linked, and one should not study the latter without understanding the former. Delegates are therefore encouraged to familiarize themselves with this report, as it provides contextual and analytical information on the key issues, as well as challenges and opportunities in relation to gender and statebuilding.

United Nations, Civilian Capacity (2013). *United Nations Guidance Note for Effective Use and Development of National Capacity in Post-Conflict Contexts* [Note]. Retrieved 16 January 2014 from:

<http://www.civcapreview.org/LinkClick.aspx?fileticket=str3OQEG4Rk%3d&tabid=3769&language=en-US>

National ownership is an integral part of peacebuilding in general, and of civilian capacity specifically. In order to acquire more practical knowledge of what national ownership means on the ground, it is interesting to read this note, as it provides with advice and resources for United Nations Civilian Personnel. Furthermore, the ten principles outlined can be a source of inspiration for delegates to make new propositions.

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II. Strengthening the United Nations Relief and Works Agency for Palestine Refugees in the Near East

Introduction

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) aims “to help Palestine refugees to achieve their full potential in human development” through the provision of education, health care, relief and social services, microfinance, emergency assistance, protection, and infrastructure and camp improvement.⁵³ Since its establishment in 1949 by General Assembly resolution 302 (IV), UNRWA has become one of the largest agencies in the United Nations (UN), with almost 30,000 staff working to support a growing population of nearly five million refugees.⁵⁴ While UNRWA has attained remarkable success, “deepening crises” throughout the Middle East increasingly threaten the agency’s ability to deliver services in the region.⁵⁵ All of UNRWA’s five fields of operation – Jordan, Lebanon, Syria, the West Bank, and the Gaza Strip – presently endure the direct effects of armed conflict or humanitarian situations, posing “a predicament that UNRWA has not faced in decades.”⁵⁶

As the body responsible for overseeing UNRWA, the General Assembly regularly incorporates the agency into the agenda of the Fourth Committee, which considered several relevant reports at its 68th session in 2013.⁵⁷ The annual report of the Commissioner-General of UNRWA, supplemented by an addendum regarding budgetary issues, set out priorities for each field of operation and reviewed overall progress towards human development goals.⁵⁸ The Working Group on the Financing of UNRWA produced a report containing recommendations for remedying the agency’s troubled financial situation.⁵⁹ Pursuant to previous requests from the General Assembly, the Secretary-General prepared numerous reports on the impact of practices by the State of Israel on the human rights of Palestinian refugees and other residents of the Occupied Territories.⁶⁰ On the subsequent report of the Fourth Committee, the General Assembly adopted resolutions 68/77 on persons displaced as a result of the June 1967 and subsequent hostilities, and resolution 68/78 on the operations of UNRWA.⁶¹ Affirming the importance of UNRWA’s “unimpeded operation,” the General Assembly voted in December 2013 to extend the agency’s mandate until 30 June 2017.⁶²

Outside of the General Assembly, advocates are fuelling efforts to raise awareness of UNRWA’s mission and the plight of Palestine refugees. The annual observance of the International Day of Solidarity with the Palestinian People took place on 29 November 2013, during which Secretary-General Ban Ki-moon appealed to “all donors, including new ones, to make or increase contributions to sustain UNRWA’s vital and indispensable operations.”⁶³ On 16 January 2014, in accordance with General Assembly resolution 68/12, the UN officially launched the International Year of Solidarity with the Palestinian People.⁶⁴ The Committee on the Exercise of the Inalienable

⁵³ UN General Assembly, *Report of the Commissioner-General of UNRWA: Programme budget 2014-2015 (A/68/13/Add.1)*, p. 1.

⁵⁴ UNRWA, *UNRWA in Figures* [Bulletin], 2013, p. 1.

⁵⁵ UNRWA, *Speech delivered by the Deputy Commissioner-General Margot Ellis at the 2014 Pledging Conference*, 2013.

⁵⁶ UN General Assembly, *Report of the Commissioner-General of the UNRWA (A/68/13)*, 2013, p. iv.

⁵⁷ UN Dag Hammarskjöld Library, *Resolutions adopted by the General Assembly at its 68th Session* [Website], 2013.

⁵⁸ UN General Assembly, *Report of the Commissioner-General of UNRWA (A/68/13)*, 2013; UN General Assembly, *Report of the Commissioner-General of UNRWA: Programme budget 2014-2015 (A/68/13/Add.1)*, 2013.

⁵⁹ UN General Assembly, *Report of the Working Group on the Financing of UNRWA (A/68/388)*, 2013.

⁶⁰ UN General Assembly, *Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: Report of the Secretary-General (A/68/355)*, 2013; UN General Assembly, *Israeli settlements in the Occupied Palestinian Territory: Report of the Secretary-General (A/68/513)*, 2013; UN General Assembly, *Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory: Report of the Secretary-General (A/68/502)*, 2013; UN General Assembly, *The occupied Syrian Golan: Report of the Secretary-General (A/68/378)*, 2013.

⁶¹ UN General Assembly, *Persons displaced as a result of the June 1967 and subsequent hostilities (A/RES/68/77)* [Resolution], 2013; UN General Assembly, *Operations of UNRWA (A/RES/68/78)*, 2013.

⁶² UN General Assembly, *Assistance to Palestine refugees (A/RES/68/76)* [Resolution], 2013.

⁶³ UN Department of Public Information, *Secretary-General’s Message for 2013 International Day of Solidarity with the Palestinian People* [Statement], 2013.

⁶⁴ UN Department of Public Information, *Palestinian Rights Committee opens 2014 session upon launch of International Year of Solidarity* [Press Release], 2014.

Rights of the Palestinian People (CEIRPP) will arrange for activities in conjunction with national governments, relevant UN organizations, intergovernmental organizations, and civil society organizations.⁶⁵ At the opening of CEIRPP's 2014 session, Deputy Secretary-General Jan Eliasson heralded this year as an invaluable opportunity to achieve "durable peace between Israel and Palestine" through a two-state solution.⁶⁶

Recent Developments

Continued Violence in Syria

The relentless, "catastrophic conflict in the Syrian Arab Republic is progressively unraveling the fabric of the Palestine refugee community and exacerbating Palestine refugees' vulnerability."⁶⁷ As of January 2014, roughly 270,000 refugees were internally displaced within Syria.⁶⁸ Refugee camps have become "battlegrounds," and UNRWA has calculated that 440,000 refugees in Syria will rely on "urgent and ongoing assistance" during 2014.⁶⁹ Approximately 18,000 Palestine refugees and displaced Syrians remain stranded in Yarmouk, a suburb of Damascus, which UN High Commissioner for Human Rights Navi Pillay has described as "caught in a quagmire" between besieging Syrian government forces and armed opposition groups.⁷⁰ On 18 January 2014, after wide reports of civilian deaths from starvation, UNRWA convoys bearing desperately needed food and medical aid were allowed to enter Yarmouk for the first time since September 2013.⁷¹ A peace conference led by the UN is scheduled to begin on 22 January 2014 in Switzerland, where participants will seek to make arrangements for the delivery of humanitarian aid to civilians throughout Syria.⁷²

In the face of escalating violence, UNRWA personnel persist in delivering emergency relief, health, and education services to Palestine refugees in Syria.⁷³ The General Assembly has encouraged UNRWA "to provide increased assistance, in accordance with its mandate, to affected Palestine refugees" and "call[ed] upon donors to urgently ensure sustained support to [UNRWA] in this regard."⁷⁴ In December 2013, UNRWA formulated the Syria Regional Crisis Response for 2014, which delineated the following strategic priorities: first, to preserve the resilience of the community through targeted relief; second, to provide a protective framework for Palestinian communities and help mitigate their vulnerability; and third, to strengthen humanitarian capacity, coordination, and management.⁷⁵ As expected, lack of necessary funding will constitute a major obstacle to meeting these goals, for which UNRWA has estimated it will require \$417.4 million US.⁷⁶

Budgetary Shortfalls

The chronic financial difficulties regularly experienced by UNRWA have finally reached a critical point. In its 2013 report, the Working Group on the Financing of UNRWA "note[d] with serious concern the structural nature of the Agency's financial crisis whereby its General Fund is underfunded year after year. This has led the Agency to finance its annual deficit partly by spending its working capital, which in turn is now virtually depleted."⁷⁷ On account of lower contributions from donors and higher expenditures in response to exigent circumstances, UNRWA anticipates funding gaps for the regular budget of -\$150.4 million for 2014 and -\$152.6 million for 2015.⁷⁸ Some progress has been made towards obtaining the requisite funds: the General Assembly has endorsed an increase of \$5

⁶⁵ UN General Assembly, *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/12)* [Resolution], 2013.

⁶⁶ UN Department of Public Information, *Current moment of opportunity must not be lost, Deputy Secretary-General says as Palestinian Rights Committee opens 2014 session* [Press Release], 2014.

⁶⁷ UN General Assembly, *Report of the Commissioner-General of UNRWA: Programme budget 2014-2015 (A/68/13/Add.1)*, 2013, p. 3.

⁶⁸ UNRWA, *Syria Crisis Response Update (issue no 67)* [Website], 2014.

⁶⁹ UNRWA, *Syria Regional Crisis Response: January-December 2014* [Report], 2013, p. 10.

⁷⁰ UN News Centre, *Impeding aid to besieged refugee camp in Syria may amount to war crime – UN official* [Article], 2014.

⁷¹ BBC News, *'Aid enters' besieged Damascus camp of Yarmouk*, 2014.

⁷² UN News Centre, *On eve of Syrian peace conference, Ban holds intensive talks with participants* [Article], 2014.

⁷³ UNRWA, *Syria Crisis Response Update (issue no 67)* [Website], 2014.

⁷⁴ UN General Assembly, *Operations of UNRWA (A/RES/68/78)* [Resolution], 2013, p. 5.

⁷⁵ UNRWA, *Syria Regional Crisis Response: January-December 2014* [Report], 2013, p. 7.

⁷⁶ UNRWA, *Syria Regional Crisis Response: January-December 2014* [Report], 2013, p. 5.

⁷⁷ UN General Assembly, *Report of the Working Group on the Financing of UNRWA*, 2013, p. 10.

⁷⁸ UN General Assembly, *Report of the Commissioner-General of UNRWA: Programme budget 2014-2015 (A/68/13/Add.1)*, 2013, pp. 17-18.

million from the UN's budget, while UNRWA has implemented a management reform process to "enhance its ability to efficiently use resources and implement change for more effective delivery of services to its beneficiaries."⁷⁹ However, without additional contributions, UNRWA "will not be in a position to fully implement its budgeted activities."⁸⁰

Labor Dispute

In opposition to layoffs and unanswered demands for higher wages, thousands of UNRWA employees in the West Bank have been on strike since 3 December 2013.⁸¹ Additionally, 24 UNRWA employees in the West Bank and Jerusalem launched a hunger strike on 1 January 2014, demonstrating particularly against UNRWA's new policy prohibiting the employment of Palestinians formerly in Israeli detention.⁸² UNRWA has consistently expressed a desire to end strike activity, but it has maintained that salary increases for all employees are financially impossible.⁸³ Felipe Sanchez, the director of UNRWA's operations in the West Bank, explained that increasing employee wages "would mean risking the continuity of receiving future support from donor countries, which are already facing financial trouble in their capitals."⁸⁴

The strike has generated a devastating impact upon Palestine refugees in the West Bank; 192,100 refugees are unable to access health clinics, 5,867 refugees have not received food and cash assistance from the Social Safety Net Programme, and over 50,000 students cannot attend classes due to the closure of 98 schools.⁸⁵ Fearing the permanent loss of UNRWA services, refugees living in affected camps have burned tires and closed roads in disruptive protests against deteriorating living conditions.⁸⁶ North of Ramallah, clashes outside the Jelazoun camp resulted in injuries to 70 protesters and 40 police officers on 12 January 2014.⁸⁷ While the Palestinian Authority has mediated negotiations between UNRWA management and labor unions, there has been no indication that employees will soon be returning to work.⁸⁸

Conclusion

With the backing of the international community, UNRWA stands poised to uphold its mandate until the attainment of "a just and durable solution to the Israeli-Palestinian conflict in all its aspects."⁸⁹ The General Assembly has often reiterated its appreciation "for the essential role that [UNRWA] has played for over 60 years" and the "tireless efforts" of UNRWA staff.⁹⁰ But unprecedented challenges, which now severely affect every aspect of UNRWA's operations, will unquestionably necessitate renewed commitment from individual Member States. Delegates on the Fourth Committee have an invaluable opportunity to ensure the continued success of UNRWA, whose endeavors will remain "a pillar of hope" for one of the world's most vulnerable populations.⁹¹

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Resolution 68/78, which was adopted on the report of the Fourth Committee, represents the outcome of the majority of the General Assembly's discussions regarding UNRWA during its 68th.

⁷⁹ UN General Assembly, *Report of the Working Group on the Financing of UNRWA*, 2013, pp. 10-11.

⁸⁰ UN General Assembly, *Report of the Commissioner-General of UNRWA: Programme budget 2014-2015 (A/68/13/Add.1)*, 2013, p. 18.

⁸¹ Hatuqa, *UN strike paralyzes West Bank refugee camps*, 2014.

⁸² Ma'an News Agency, *UNRWA employees continue hunger strike*, 2014.

⁸³ UNRWA, *Statement on the ongoing West Bank area staff strike*, 2014.

⁸⁴ Hatuqa, *UN strike paralyzes West Bank refugee camps*, 2014.

⁸⁵ UNRWA, *UNRWA Strike* [Website], 2014; Hatuqa, *UN strike paralyzes West Bank refugee camps*, 2014.

⁸⁶ Browning, *UN strike stokes Palestinian refugee protests*, 2014.

⁸⁷ Hass, *Palestinian protesters, police injured during clashes over West Bank roadblocks*, 2014.

⁸⁸ Hatuqa, *UN strike paralyzes West Bank refugee camps*, 2014.

⁸⁹ UN General Assembly, *Report of the Commissioner-General of the UNRWA (A/68/13)*, 2013, p. v.

⁹⁰ UN General Assembly, *Operations of UNRWA (A/RES/68/78)* [Resolution], 2013, p. 4.

⁹¹ UN General Assembly, *Report of the Commissioner-General of the UNRWA (A/68/13)*, 2013, p. v.

session. It illustrates the relationship and interaction between the General Assembly, UNRWA, and the international community at large. Delegates should familiarize themselves with the General Assembly's primary concerns, which are expressed in the preambular clauses, and the manner in which they are addressed by the body.

United Nations, General Assembly, Sixty-eighth session. (2013, August 27). *Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East: 1 January – 31 December 2012 (A/68/13)*. Retrieved 15 January 2014 from: <http://undocs.org/A/68/13>

Each year, the Commissioner-General of UNRWA reports to the Fourth Committee. The 2013 report, which reviews UNRWA's work in 2012, begins with an overview of regional, operational, and organizational developments that provide information concerning the context in which the agency functions. The second section identifies priorities for each field of operation. The final section evaluates the progress UNRWA has made towards the human development goals set out in its medium-term strategy for 2010 to 2015: a long and healthy life, acquired knowledge and skills, a decent standard of living, and human rights enjoyed to the fullest.

United Nations, General Assembly, Sixty-eighth session. (2013, August 19). *Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East: Programme budget 2014-2015 (A/68/13/Add.1)*. Retrieved 15 January 2014 from: <http://undocs.org/A/68/13/Add.1>

As an addendum to its annual report to the General Assembly, UNRWA produced a supplement detailing its budget and the method by which it allocates its funds. Given the pressing need to address UNRWA's financial situation, delegates will find this report particularly useful. Breakdowns of expenditures according to various factors – including by programme, by field office, and by human development goal – illustrate exactly how UNRWA uses funds, while income projections reveal UNRWA's sources of and gaps in funding.

United Nations Relief and Works Agency for Palestine Refugees in the Near East. (2014). *UNRWA Strike* [Website]. Retrieved 16 January 2014 from: <http://www.unrwa-wb-affairs.org/index.php/en/>

The ongoing strike has arguably become the gravest challenge facing UNRWA today. The official Website for the strike collates all statements from UNRWA and from the West Bank Area Staff Union, allowing delegates to track progress and communications between the two groups. The section on costs demonstrates the growing impact the strike has inflicted upon Palestine refugees.

United Nations Relief and Works Agency for Palestine Refugees in the Near East. (2013). *Syria Regional Crisis Response: January-December 2014* [Report]. Retrieved 16 January 2014 from: http://www.unrwa.org/sites/default/files/2014_syria_emergency_appeal.pdf

In December 2013, UNRWA released its response plan for the civil war in Syria. The plan describes the difficult circumstances faced by UNRWA personnel and the increased costs associated with operating in a conflict environment. Detailed analysis of goals and outcomes clarifies the purpose of UNRWA intervention. Delegates should also visit the UNRWA Website frequently, as the agency uses the "Newsroom" section to post regular updates on emergency situations.

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III. Strengthening United Nations Police

Introduction

United Nations Police (UNPOL) are the second-largest component of the personnel of UN peace operations, numbering about 12,600 as of mid-2013.⁹² Demand for police personnel has outpaced both supply, with nearly 30% of UN police positions in missions vacant, and the United Nations' "capacities for supportive strategic planning and doctrine, selection, and recruitment."⁹³ During the 68th session of the General Assembly, issues related to police were discussed during the Fourth Committee's consideration of the issue of peacekeeping operations by both the Under-Secretary-General (USG) for Field Support, Ameerah Haq, and the USG for Peacekeeping Operations, Hervé Ladsous.⁹⁴ In his remarks, USG Ladsous drew attention to the ongoing lack of female police officers and female formed police units, as well as to the unsolved problem of lacking language capacity among the deployed UN police personnel.⁹⁵ He also pointed out that UN police personnel are facing similar problems as the regular peacekeeping troops concerning pre-deployment training, up to date equipment, and rapid deploy capabilities as the military component of peacekeeping.⁹⁶ Ladsous further pointed out that policy guidance on UN police in peace operations is nearing finalization after broad consultation, which is planned to become a central pillar in the new multi-year strategy on UN policing.⁹⁷ Ladsous also explicitly addressed the issue of sexual and gender based violence and child protection, pointing out that in UN police sector 240 certified police trainers had trained almost 9,000 police officers on preventing and investigating sexual and gender-based violence.⁹⁸ USG for Field Support, Ameerah Haq, addressed in her remarks the issue of increasing the numbers of female staff in peacekeeping missions as well as the need to rigorously implement the UN's zero tolerance policy on sexual exploitation and abuse.⁹⁹ Issues related to United Nations police are also scheduled to be addressed during the annual meeting of the Special Committee on Peacekeeping Operations (C-34) in February and March 2014, as well as during the 69th session of the General Assembly in late 2014.

The UN faces challenges both in the building of police forces, including selection, recruitment and training, and in the deployment and usage of police. UNPOL personnel must not only possess the correct experience level, but also must be able to follow the rules of "democratic policing," and the personnel pool as a whole requires regional and gender balance as well.¹⁰⁰ One solution to recruitment challenges could be the creation of lists of "pre-cleared" individuals who could be hired rapidly to fill vacancies; an Italian "Standing Police Capacity" entity has done something similar to this on a smaller scale since 2007.¹⁰¹

Deployment-related challenges include building relationships with local police forces and retaining stability and progress in situations where personnel from various countries are being deployed and withdrawn quickly.¹⁰² There are internal discipline challenges as well "within UNPOL ranks."¹⁰³

Recent Developments

Seconded active-duty military and police personnel

On 1 October 2013 the Secretary General submitted a report on "Seconded active-duty military and police personnel," to the General Assembly as requested by resolution 67/287.¹⁰⁴ The report provides a background on the difficulties encountered with the secondment, which can be described as the detachment of personnel from current

⁹² Durch & Ker, *Police in UN Peacekeeping: Improving Selection, Recruitment, and Deployment*, November 2013, p. 1.

⁹³ http://www.ipinst.org/media/pdf/publications/ipi_e_pub_police_in_un_peacekeeping.pdf p. 1.

⁹⁴ Haq, *Statement by Under-Secretary-General for Field Support Ameerah Haq to the Fourth Committee*, 2013; Ladsous, *Under-Secretary-General for Peacekeeping Operations Hervé Ladsous to the Fourth Committee*, 2013.

⁹⁵ Ladsous, *Under-Secretary-General for Peacekeeping Operations Hervé Ladsous to the Fourth Committee*, 2013.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Haq, *Statement by Under-Secretary-General for Field Support Ameerah Haq to the Fourth Committee*, 2013.

¹⁰⁰ Durch & Ker, *Police in UN Peacekeeping: Improving Selection, Recruitment, and Deployment*, November 2013, p. 1.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ UN General Assembly, *Support account for peacekeeping operations (A/RES/67/287)* [Resolution], 2013.

positions for temporary assignment in another location, of active-duty military as well as police personnel in high-ranking positions in UN missions. The report then suggests possible ways to address these conflicts.¹⁰⁵

The main conflict identified in the report is a possible conflict of loyalty that arises due to the current arrangements for persons appointed to positions in a UN Mission by the Secretary General as they still remain in on active duty for their national government and thus becomes subject to both the regulations of the UN (mission) and his/her national government.¹⁰⁶ To solve this problem, the Secretary General's report suggests keeping the current system of fixed-term appointments under the Staff Regulations and Staff Rules of the United Nations.¹⁰⁷ However, these regulations should be amended by a written declaration containing a loyalty pledge to the UN and a passage that requests the staff member to declare any conflict between the declaration of loyalty and the oath or affirmation of office made with his/her national authorities.¹⁰⁸ The active-duty military and police personnel furthermore agree to resign if a conflict between the declaration and a loyalty pledge to their State should arise.¹⁰⁹

The second problem addressed in the report is the issue of honors, gifts, and remunerations - another possibility for challenging the personnel's loyalty to the mission - granted for active-duty personnel serving in the UN.¹¹⁰ The report suggests to forbid UN staff members to accept any decorations, favors, gifts, or enumerations from any government including his/her own national government.¹¹¹ Implementing the suggestions of this report would thus clarify the question of high-ranking UN personnel's loyalty clearly prioritizing the work in and for the UN over positions held in the countries of origin.

Renewal of Peacekeeping missions with a police component

Outside of the General Assembly, the Security Council also addressed the topic of police components in peacekeeping missions, renewing the mandate of three peacekeeping missions with their police components, and setting the ground for a possible future police mission in Somalia.¹¹² While the Department of Peacekeeping Operations (DPKO) and the General Assembly Fourth Committee (GA 4th) are responsible for the organization of (DPKO) and the comprehensive review and reporting (GA 4th) on peacekeeping operations respectively, the Security Council, through its mandate to maintain international peace and security, is the main actor to establish peacekeeping operations lining out specific mandates for specific operations.¹¹³

In November 2013, the Security Council renewed the mandate of the African Union's peacekeeping force to Somalia, AMISOM.¹¹⁴ The resolution also includes the request to the United Nations Assistance Mission in Somalia (established in May 2013 by Security Council Resolution 2102) to assist the Somali Federal Government "in developing broad principles on the nature of the policing in Somalia", and suggests to consider "further options to support the development of an effective police force in Somalia", thus including a police training component in the mission.¹¹⁵

The Security Council renewed the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH), which includes a police component of up to 2,601 personnel and reiterating the importance of the buildup of the Haitian police for the peaceful development of the country.¹¹⁶ The Council also addressed the issue of charges of misbehavior of peacekeepers and UN police and thus stressed the UN's zero-tolerance policy and sexual exploitation.¹¹⁷ In the recent years UN peacekeepers have been repeatedly accused of and convicted for sexual

¹⁰⁵ UN General Assembly, *Seconded active-duty military and police personnel: Report of the Secretary-General (A/68/495)*, 2013.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² United Nations Security Council, *Resolution 2124 (2013) [Somalia] (S/RES/2124)*, 2013.

¹¹³ Doyle & Sambanis, *Peacekeeping Operations*, 2008; Bothe, *Peacekeeping Forces*, 2011.

¹¹⁴ United Nations Security Council, *Resolution 2124 (2013) [Somalia] (S/RES/2124)*, 2013.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

exploitation, sexual abuse, and other forms of sexual violence, with especially prominent cases in Haiti.¹¹⁸ The main task of prohibiting and persecuting such acts was directed to the troop and police contributing countries that were urged to "redouble efforts in preventing cases of misconduct".¹¹⁹ The Council further called on the contributing states to ensure that acts involving their personnel to be properly investigated and punished.¹²⁰ Although taking necessary steps in addressing the problems of sexual exploitation through UN personnel, the Security Council did not suggest any structural reforms to prevent such crimes in the future.

In September 2013, the UN Mission in Liberia, (UNMIL) was extended for another year, whereby the extensive police component of 1,795 policemen and women including 10 formed police units will be maintained.¹²¹ As of December 2013, a total of 13,057 UN police personnel, 1,329 of them female, were serving in the following UN missions: MINURSO, MINUSMA, MINUSTAH, MONUSCO, UNAMA, UNAMID, UNFICYP, UNISFA, UNMIL, UNMISS, and UNOCI.¹²² The largest police contributor countries (PCCs) were Bangladesh, Jordan, and Nepal.¹²³

Conclusion

While the inclusion of a police component becomes more and more common for peace keeping missions mandated by the Security Council, major problems of UN police that were already lined out in the Secretary-General's 2011 Report on UN police still remain.¹²⁴ The problem of sexual exploitation conducted by UN peacekeepers and UN police continues to stay an issue that requires more attention. As of now, the issue is mainly directed to troop and police contributing countries, but a stronger focus in the training phase and especially the inclusion of more female UN police staff are promising attempts to engage with this pressing issue. The creation of certain common standards concerning the formation of UN police personnel also appears to be an auspicious approach in strengthening UN police. The Report by the Secretary General on seconded active-duty military and police personnel provides ideas and recommendations for the issue of shared loyalty of seconded officers in leading UN positions shifting the emphasis towards the loyalty to the UN and the respective mission.

Delegates should focus their research on their countries position on the creation of common standards and a general shift of the responsibility towards the United Nations. Furthermore it must also be acknowledged that problems such as the difficulties of the Member States providing enough police personnel and the ongoing struggles to finance the UN's peacekeeping missions remain unsolved and should thus also be topics of concern for the Fourth Committee session.

Annotated Bibliography

Bothe, M. (2011). Peacekeeping Forces. *Max Planck Encyclopedia of Public International Law*.
The Max Planck Encyclopedia of Public International Law is a very useful source for getting an overview of matters of international law as well as on international organizations, agencies, and offices. All contributions are written by designated experts in their respected fields. In this article, Michael Bothe not only outlines the historic development and practice of peacekeeping, but, more importantly, illustrates the formation and structure and legal basis of UN peacekeeping operations. Bothe also addresses the rights and duties of United Nations peacekeeping forces in the host states. This article thus provides a very good overview over all aspects of peacekeeping and is a recommended read for all delegates with a special focus on the legal questions concerned with peacekeeping, that generally also apply for police missions.

Doyle, M. & N. Sambanis. (2008). Peacekeeping Operations. *The Oxford Handbook on the United Nations*: 323-348

¹¹⁸ BBC News, *UN police in Haiti accused of sexual abuse*, [Website], 2012; United Nations News, *Haiti: Three UN peacekeepers repatriated for sexual abuse*, [Website] 2012.

¹¹⁹ United Nations Security Council, *Resolution 2119 (2013) [Haiti] (S/RES/2119)*, 2013.

¹²⁰ Ibid.

¹²¹ Ibid

¹²² United Nations, *Peacekeeping, Troop and police contributors*, [Website], 2013.

¹²³ Ibid.

¹²⁴ UN General Assembly, *United Nations Police: Report of the Secretary-General (A/66/615)*, 2011.

The Oxford Handbook of the United Nations is a good source to get a first general overview of all relevant aspects concerning the UN. In this article in particular Michael W. Doyle and Nicholas Sambanis give an overview of the genesis of modern day peacekeeping that also includes police missions and other state building programs. The article addresses both the historic development as well as theoretic models for effective peacekeeping. The Oxford Handbook on the United Nations is a recommended read for all delegates that want to recapitulate the general principles of the functioning of the United Nations, but by providing insights on theoretical thoughts also might be also of interest for delegates already more familiar with the topic.

Ladsous, H. (2013, October 28). *Under-Secretary-General for Peacekeeping Operations Hervé Ladsous to the Fourth Committee*. Retrieved 10 January 2014 from: <http://www.un.org/en/peacekeeping/documents/131028-USG-Ladsous-Statement-4C-AS-DELIVERED.pdf>

In this statement to the GA Fourth Committee the USG for Peacekeeping Operations lined out the factors that in his view will impact peacekeeping in the coming years - the changing nature of conflict, the deepening and diversifying engagement with regional organizations, and the growing financial pressures. USG Ladsous also outlined the priorities of the DPKO for the year 2014 - ensuring adequate capabilities; the deployment of more female staff; the development and implementation of common UN standards for peacekeepers and UN police personnel; the strengthening of rapid deployment and force generation capabilities; enhancing the efforts for the protection of civilians in UN peacekeeping missions; and the inclusion of early peace building efforts, especially in the strengthening of the rule of law and security institutions. Especially the aim of creating standards and the increasing focus on efforts to establish the rule of law through strengthening local law enforcement institutions appears to be relevant for the topic at hand. Nevertheless delegates are advised to study the entire statement in order to familiarize with the entire issue of peacekeeping and peacebuilding.

United Nations, General Assembly, Sixty-seventh session. (2013, October 1). *Seconded active-duty military and police personnel (A/68/495)*. Retrieved 10 January 2014 from: <http://undocs.org/A/68/495>

This Report of the Secretary General addresses the questions related to the secondment of active-duty military and police officers as well as the question of the granting of honors, gifts, and remunerations to active UN military and police personnel. The Report lines out a possible reform of the question of seconded high-ranking officers stressing that their loyalty should be to the United Nations as long as holding a position in this organization. This position might indeed be an issue to debate, and therefore delegates are strongly recommended to study this report.

United Nations, Peacekeeping. (2013). *Troop and police contributors*. Retrieved 10 January 2014 from: <http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml>

The United Nations Peacekeeping homepage provides statistics and overviews on all issues related with peacekeeping missions. Figures on the numbers of peacekeepers and UN police personnel are updated on a monthly basis. The website also provides statistics on the gender of UN peacekeeping and police personnel. The website furthermore allocates links to all reports and policy guidance documents on peacekeeping and related issues. This page should be one of the primary places to go for delegates looking for specific numbers and figures on UN peacekeeping and UN police missions.

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