

## Committee Overview

### **Introduction**

After the devastating effects of the two World Wars, the international community established the United Nations (UN) as an intergovernmental organization with the primary responsibility of maintaining international peace and security, creating the conditions conducive to economic and social development, and advancing universal respect for human rights.<sup>1</sup> The Security Council became one of the six principal organs of the UN and was given the primary responsibility of preserving international peace and security.<sup>2</sup>

The Security Council held its first session on 17 January 1946 at Church House in London.<sup>3</sup> After its first meeting, the Council relocated to its permanent residence at the UN Headquarters in New York City.<sup>4</sup> At that time, five permanent members and six non-permanent members were part of the Council.<sup>5</sup> In 1965, the number of non-permanent members increased to 10 and discussions regarding a change in configuration took place frequently.<sup>6</sup> As the body's structure has remained largely unchanged, debate has arisen over the Security Council's efficacy and authority as a mediator on issues of international security.<sup>7</sup> Matters such as the Syrian Civil War, Russia's annexation of Crimea, and The Democratic People's Republic of Korea's nuclear weapons program have posed particular challenges to the Security Council.<sup>8</sup>

Traditionally, the Security Council discusses issues related to peacekeeping missions, political processes, as well as the protection of human rights, disarmament, and humanitarian crises.<sup>9</sup> However, with the adoption of the *2030 Agenda for Sustainable Development* by the UN General Assembly in 2015, the Security Council has begun to increasingly focus on the intersection between sustainability, peace, and security.<sup>10</sup> Some important crosscutting issues the Council is currently addressing include human rights and the protection of civilians for conflict prevention and sustainable development; Women, Peace and Security; and the prevention of conflict and sustaining peace.<sup>11</sup>

### **Governance, Structure, and Membership**

The Security Council is the only UN body that has the power to adopt legally binding resolutions, which place an obligation on Member States to accept and carry out the Council's decisions under Article 25 of the *Charter of the United Nations* (1945).<sup>12</sup> The Security Council also has a variety of other tools to address issues on its agenda.<sup>13</sup> For example, the President of the Security Council may issue press statements or presidential statements to communicate the Council's position.<sup>14</sup> Although these are not legally binding, such statements are used to bring attention to important issues and to recommend solutions to ongoing conflicts.<sup>15</sup>

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<sup>1</sup> *Charter of the United Nations*, 1945.

<sup>2</sup> UN Security Council, *What is the Security Council?*, 2019.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> UN Security Council, *Voting System*, 2020.

<sup>6</sup> Global Policy Forum, *Background on Security Council Reform*, 2020.

<sup>7</sup> Council on Foreign Relations, *The UN Security Council*, 2018.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid; Encyclopedia Britannica, *United Nations Security Council*, 2014.

<sup>10</sup> UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015; UN DPA, Politically Speaking, *Sustaining Peace, Conflict Prevention, Human Rights and Sustainable Development High on Agenda for New Security Council Members*, 2018.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid; Ibid.

<sup>13</sup> UN Security Council, *Functions and Powers*, 2020.

<sup>14</sup> NGO Working Group on Women, Peace and Security, *Mapping Women, Peace and Security in the United Nations Security Council: Report of the NGOWG Monthly Action Points, 2009-2010*, 2010, p. 11.

<sup>15</sup> Ibid.

The five permanent members of the Security Council are China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, often colloquially referred to as the “P5.”<sup>16</sup> Every year, the General Assembly elects five of the 10 non-permanent members for a two-year term.<sup>17</sup> Elections for non-permanent seats on the Council can be competitive, with states expressing interest and campaigning years in advance.<sup>18</sup> States elected to serve on the Security Council are expected to represent the interests of their region; they usually have an influence at the international level and demonstrate leadership in specific areas of interest to their foreign policy.<sup>19</sup> Each member of the Security Council has the ability to be represented at all meetings.<sup>20</sup> In the Provisional Rules of Procedure, Rule 13 allows for Members to be represented by an “accredited representative,” such as a Head of Government.<sup>21</sup>

Belgium, Dominican Republic, Estonia, Germany, Indonesia, Niger, Saint Vincent and the Grenadines, South Africa, Tunisia, and Vietnam are the current non-permanent members for the 2020-2021 term.<sup>22</sup> Security Council elections are held six months before the term starts in June.<sup>23</sup> This change allows Member States sufficient time to prepare for their new role.<sup>24</sup> The 10 non-permanent members represent countries from five groups: Africa, the Asia-Pacific Group, Latin America and the Caribbean, the Eastern European Group, and Western European and Other.<sup>25</sup>

Every Member State of the Security Council has one vote.<sup>26</sup> Votes on all matters require supermajority of nine Member States.<sup>27</sup> However, if one of the five permanent members of the Security Council votes “no” on a matter of substance, such as a draft resolution, it does not pass.<sup>28</sup> This is known as “veto power.”<sup>29</sup> In the 1950s, Security Council Member States made frequent use of their veto power, but its usage declined in the 1960s—rising again in the 1970s and 1980s.<sup>30</sup> In the last decades, the use of the veto power has been comparatively rare.<sup>31</sup> In recent years, the Council has adopted many resolutions by consensus and has only been divided on a very limited number of issues.<sup>32</sup>

The issue of reform arose in a debate on 2018 November 20, during which members of the UN General Assembly suggested the Security Council must adapt, reform, and expand its membership to include underrepresented regions to meet emerging challenges in the continually-changing and complex international peace and security architecture.<sup>33</sup> Delegates called for expanding the number of permanent members and abolishing the permanent member’s use of veto power.<sup>34</sup>

Each member of the Security Council holds the presidency of the Council for one month, rotating according to alphabetical order.<sup>35</sup> Security Council meetings can be held at any time when convened by

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<sup>16</sup> Ibid, p. 15.

<sup>17</sup> Ibid, p. 15.

<sup>18</sup> UN DGC, *Ahead of Security Council elections, General Assembly President explains how a country can get a non-permanent seat*, 2016.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> UN Security Council, *Highlights of Security Council Practice*, 2019.

<sup>22</sup> UN Security Council, *Current Members*, 2020.

<sup>23</sup> UN General Assembly, *Revitalization of the work of the General Assembly (A/RES/68/307)*, 2014, p. 4.

<sup>24</sup> Ibid.

<sup>25</sup> UN General Assembly, *Rules of procedure*, 2017.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> Security Council Report, *In Hindsight: The Veto*, 2013; Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>31</sup> Ibid.

<sup>32</sup> Security Council Report, *In Hindsight: Consensus in the Security Council*, 2014; Ibid.

<sup>33</sup> Nastranis, *UN Security Council Reform Back on the Table Again*, 2019.

<sup>34</sup> Ibid.

<sup>35</sup> UN Security Council, *Provisional Rules of Procedure of the Security Council (S/96/Rev.7)*, 1982.

the President and by the request of any Member State.<sup>36</sup> Under Rule 3 of the Provisional Rules of Procedure of the Security Council, the President shall call a meeting if a dispute or situation requires the Council's attention.<sup>37</sup> Due to this, the Security Council meets regularly throughout the year in the UN Conference Building.<sup>38</sup> However, in 2020, due to the coronavirus disease (COVID-19), the Security Council have resorted to meeting online through video conferences.<sup>39</sup> Any Member State may attend the Council's sessions if the body decides to extend an invitation.<sup>40</sup> Member States are invited if the Security Council is discussing an issue that directly concerns the interests of the Member State.<sup>41</sup> Invited Member States do not have the right to vote but are allowed to submit proposals and draft resolutions.<sup>42</sup> Furthermore, invited Member States can inform the Council about a current crisis in their region.<sup>43</sup> However, such proposals may only be put to a vote at the request of a member of the Council.<sup>44</sup>

The Security Council oversees many subsidiary bodies established under Article 29 of the Charter, including: the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, sanctions committees, and ad hoc committees.<sup>45</sup> The Security Council also works with the General Assembly to oversee the work of the Peacebuilding Commission (PBC).<sup>46</sup> Additionally, Security Council Member States participate in various working groups, which consist of some or all of the Security Council Member States and focus on regional issues, as well as improving the working methods of the Council itself.<sup>47</sup>

Cooperation between the Security Council and other entities, such as the Organization for the Prohibition of Chemical Weapons (OPCW) and the International Atomic Energy Agency (IAEA) is significant.<sup>48</sup> Partnerships with independent regional organizations, such as the European Union (EU) and the African Union (AU) are also of paramount importance for addressing a broad range of issues such as terrorism, disarmament, nuclear non-proliferation, and extreme violence from non-state actors.<sup>49</sup>

### ***Mandate, Functions, and Powers***

The mandate of the Security Council is to maintain international peace and security and to take action whenever peace and security are threatened.<sup>50</sup> The Council's authority is particularly relevant with respect to the UN's four primary purposes, as specified in the Charter: maintaining international peace and security; developing friendly relations among nations; cooperating in solving international problems; and promoting respect for human rights.<sup>51</sup> The capabilities of the Security Council are highlighted in Chapters V–VIII.<sup>52</sup> Chapter V establishes the structure, membership, functions, and powers of the Security Council.<sup>53</sup> Chapters VI and VII of the Charter specifically concern the Security Council and the range of actions that can be taken when settling disputes.<sup>54</sup> Chapter VI of the Charter by itself aims to settle disputes through peaceful means, such as negotiation and judicial settlement.<sup>55</sup> Chapter VII

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<sup>36</sup> UN Security Council, *Repertoire of the practice of the Security Council*, 2019.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Lynch, *U.N. Agencies Struggle to Carry on Remotely*, 2020.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> UN Security Council, *Committees, Working Groups and Ad Hoc Bodies*, 2019.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid; UN Security Council, *Resolution 2118 (2013) (S/RES/2349) (2013)*, 2013.

<sup>49</sup> Ibid; Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

explores further actions that can be taken in regard to threats to peace, branches of peace, and acts of aggression.<sup>56</sup> This chapter also authorizes the Security Council to implement provisional measures aimed to de-escalate the situation.<sup>57</sup> Chapter VIII of the Charter allows the Security Council to call upon other regional agencies or arrangements to enforce appropriate operations and intervene if necessary.<sup>58</sup>

Under Article 41 in the Charter, the Council can call on its members to apply economic sanctions and other measures not involving the use of force to prevent or end violence.<sup>59</sup> Some of these measures include arms embargos, enforcing disarmament, or calling upon international criminal mechanisms to become active.<sup>60</sup> Regarding diplomatic tools, the Council is mandated to investigate any dispute or situation that might lead to aggression between states, with other non-state groups, or within states' territories.<sup>61</sup> The Council may also take military action against a state or other entity threatening international peace and security, and may further decide on the deployment of troops or observers.<sup>62</sup> The Council may also decide upon the deployment of new UN peacekeeping operations to be led by the Department of Peace Operations (DPO).<sup>63</sup> The Security Council creates a peacekeeping operation by adopting a resolution that outlines the mandate and size of a particular mission, and UN peacekeepers are assigned to appropriate regions to address conflicts.<sup>64</sup> The Council also cooperates with a number of international and regional organizations as well as non-governmental organizations to implement its decisions.<sup>65</sup>

### **Recent Sessions and Current Priorities**

In 2019, the Security Council held 285 meetings, issued 15 presidential statements, and adopted 26 resolutions.<sup>66</sup> The Security Council has focused efforts to consider the country and region specific situations in its agenda.<sup>67</sup> With a particular focus on the Middle East region, the Council has drafted several resolutions to address the situation in Mali, Yemen, and Syria.<sup>68</sup>

Mali has been struggling with issues of safety of its citizens, ineffective governance, and economic and political instability, which has been exacerbated by nepotism and corruption in government.<sup>69</sup> In 2019, the Security Council adopted resolution 2480, which urges the Malian government to accelerate the implementation of the Agreement on Peace and Reconciliation in Mali within a realistic and binding timeline.<sup>70</sup> The Council also adopted resolution 2478 on 26 June 2019, renewing its sanctions regime against individuals and entities in the Democratic Republic of the Congo until 1 July 2020.<sup>71</sup>

Yemen is the poorest country in the Middle East and suffers from corruption, poverty and unrest from Houthi militia.<sup>72</sup> To address the ongoing conflict in Yemen, the Security Council adopted resolution 2481 on 15 July 2019 to extend the mandate of the UN Mission to support the Hodeidah Agreement (UNMHA)

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> UN Peacekeeping, *Forming a New Operation*.

<sup>64</sup> UN Peacekeeping, *Role of the Security Council*.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> UN DGC, *Highlights of Security Council Practice 2018*, 2017.

<sup>68</sup> Ibid.

<sup>69</sup> UN DGC, *Mali*, 2020.

<sup>70</sup> UN Security Council, *The Situation in Mali (S/RES/2480 (2019))*, 2019.

<sup>71</sup> UN Security Council, *The Situation Concerning the Democratic Republic of the Congo (S/RES/2478 (2019))*, 2019.

<sup>72</sup> UN Security Council, *Permanent Mission of Republic of Yemen to the United Nations*, 2020.

until 15 January 2020.<sup>73</sup> However, since mid-January, the bouts of violence and instability continue to persist throughout the region.<sup>74</sup>

The conflict in Syria has led to over 5.6 million refugees and 6.1 internally displaced people.<sup>75</sup> Security Council resolution 2477 on the situation in the Middle East, adopted 26 June 2019, calls on all parties in Syria to cooperate with and support the operations of the UN Disengagement Observer Forces (UNDOF) and urges parties to exercise restraint and prevent breaches of ceasefires in the region.<sup>76</sup> The Council encouraged all parties to comply to a ceasefire and have started joint patrols from Russian and Turkish officials to enforce any opposition from Syrian rebels.<sup>77</sup>

In addition to state and region-specific issues, the Security Council has discussed cross-cutting and thematic issues, such as threats to international peace and security, the financing of terrorism, and climate change, peace, and security.<sup>78</sup> In 2019, the Security Council adopted resolution 2482 (2019) on “threats to international peace and security caused by international terrorism and organized crime” and 2462 (2019) which outlined measures to suppress the financing of terrorism.<sup>79</sup> Resolution 2482 called upon Member States to enhance coordination towards a global response to international terrorism and organized crime.<sup>80</sup> The resolution also urges Member States to investigate and dismantle organized crime networks involved in trafficking, and to review and implement legislation on issues such as sexual and gender-based violence in armed conflict by ensuring that domestic laws and regulations are in line with Member States’ obligations under international law.<sup>81</sup> Resolution 2462 calls for the UN Office of Counter-Terrorism (UNOCT) to play a leading role in identifying ways to suppress terrorist financing through expanding its focus and working closely with the Financial Action Task Force, an inter-governmental body that sets standards for combating money laundering and terrorist financing.<sup>82</sup> The Secretary-General, in his tenth report (S/2020/95), provided updates about the threats posed by the Islamic State in Iraq and the Levant (ISIL or Da’esh) in February 2020 to urge Member States to assist in efforts to counter the threat to international security and peace.<sup>83</sup>

The Security Council also urges the importance of addressing the safety and protection of civilians in armed conflict.<sup>84</sup> The Council passed resolution 2474 (2019) on “protection of civilians in armed conflict - missing persons in armed conflict,” and resolution 2475 (2019), on “protections of persons with disabilities in armed conflict.”<sup>85</sup> Resolution 2467 (2019) also added a measure to combat sexual violence in armed conflict.<sup>86</sup>

In 2020, the Council stressed the importance of protecting children impacted by armed conflicts.<sup>87</sup> The Security Council also urged for a conflict prevention strategy to target the younger population and called upon other Member States to incorporate additional provisions in peace negotiations and agreements to

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<sup>73</sup> UN Security Council, *The Situation in the Middle East (S/RES/2481 (2019))*, 2019.

<sup>74</sup> UN Security Council Report, *Yemen*, 2020.

<sup>75</sup> UN DGC, *Syria*, 2020.

<sup>76</sup> UN Security Council, *The Situation in the Middle East (S/RES/2477 (2019))*, 2019.

<sup>77</sup> UN Security Council Report, *Syria*, 2020.

<sup>78</sup> UN DPA, *Security Council Reporting and Mandate Cycles*, 2018; Security Council Report, *Thematic and General Issues*, 2018.

<sup>79</sup> *Ibid.*

<sup>80</sup> UN Security Council, *Threats to International Peace and Security (S/RES/2482 (2019))*, 2019.

<sup>81</sup> *Ibid.*

<sup>82</sup> UN Security Council, *Threats to International Peace and Security Caused by Terrorist Acts: Preventing and Combating the Financing of Terrorism (S/RES/2462 (2019))*, 2019.

<sup>83</sup> UN Security Council, *Tenth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat (S/2020/95)*, 2020.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> UN Security Council, *Resolution 2250 (2015) (S/Res/2250 (2015))*, 2015.



protect the children.<sup>88</sup> Resolution 2419 (2018) outlines the role of youth in conflict prevention.<sup>89</sup> Security Council resolution 2250 on Youth, Peace and Security in 2015, which highlights specific instances where youth participation and inclusion can occur, such as in civil and political engagement, humanitarian assistance, and civil society.<sup>90</sup> This will help integrate and enable young individuals in decision processes and promote international peace and security.<sup>91</sup>

### **Conclusion**

The Security Council is one of the main bodies of the UN that ensures international peace and security, overseeing the admission of new members to the UN General Assembly, and changes to the UN Charter.<sup>92</sup> The Council also has a unique and impactful mandate to set norms and govern state actions, as all Member States are required to comply with the Security Council's legally-binding decisions under Chapter VII of the Charter, the only UN body to have legally-binding decisions.<sup>93</sup> The Council is the only UN body that has the ability to create legally binding decisions.<sup>94</sup> Although the Security Council is first and foremost the primary UN entity responsible for the maintenance of international peace and security, the adoption of the post-2015 development agenda signaled the increasing need to also discuss the linkages between peace and security, and issues of human security and development.<sup>95</sup> The Council has begun looking at the intersection between the SDGs and international peace and security, namely through discussion and debates on climate change.<sup>96</sup> The Security Council also continues to address regional and country issues, as well as thematic issues, such as climate change, terrorism, and gender.<sup>97</sup>

### **Annotated Bibliography**

*Charter of the United Nations.* (1945). Retrieved 25 February 2020 from: <http://www.un.org/en/charter-united-nations/index.html>

*The Charter of the United Nations provides a thorough explanation on the powers, and functions authorized to the Security Council. For instance, the Charter outlines where the use of force is acceptable and how the council is structured to combat threats to international peace and security. As the fundamental principles of the Security Council are written down in the Charter, this document should be the first resource for delegates to consider. Article 27-32 of the Charter outlines the voting procedures of the committee and structure of how the committee conducts its business. Article 23, which sets the membership structure, and articles 23–26, which discuss its basic functions and powers, are important for understanding both the structure and function of the Security Council. In addition, articles 27–32 explain the Council's voting procedure and its overall structure. The Charter can also be particularly helpful for delegates in understanding the powers and limitations of the body. Delegates will find Chapters VI and VII most helpful when researching the mandate of the Security Council and proposing actions and solutions.*

United Nations Department of Political and Peacebuilding Affairs. (2018). *Security Council Reporting and Mandate Cycles.* Retrieved 25 April 2020 from: [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/general/reportingandmandatecycles\\_122018.pdf](https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/general/reportingandmandatecycles_122018.pdf)

*Published by the UN Department of Political Affairs, this document provides information on the work and decisions of the Security Council, including resolutions and presidential*

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<sup>88</sup> Ibid.

<sup>89</sup> UN Security Council, *Resolution 2419 (2018) (S/RES/2419 (2018))*, 2018.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid.

<sup>93</sup> Ibid.

<sup>94</sup> Ibid.

<sup>95</sup> Ibid.

<sup>96</sup> Mead, *UN Security Council Addresses Climate Change as a Security Risk*, 2019.

<sup>97</sup> UN DGC, *Fragile countries risk being 'stuck in a cycle of conflict and climate disaster,' Security Council told*, 2018.

*statements. The document primarily consists of tables on items that have been discussed by the Security Council, various requests by the Security Council, and mandates of different entities and operations that report to the Council. This report will help delegates by providing succinct and clear information on the recent actions taken by the Security Council on its various thematic issues. Additionally, delegates may find the tables providing the actual clauses of different Security Council resolutions particularly helpful to their research.*

United Nations, Security Council. (2019). *Highlights of Security Council Practice*. Retrieved on 27 February 2020 from: <https://www.un.org/securitycouncil/content/highlights-2019>

*This article reviews the activities and resolutions passed of the Security Council during the last year. This is a useful recap of all the issues that the Security Council has addressed or currently still needs to resolve. The Security Council highlights for the previous years are also available. For a more detailed report, the Security Council also reports monthly updates. There are many charts and graphics depicting the activity of the Council within 2019, even detailing number of meetings, regional focuses, and decisions by geographical regions.*

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## I. Protection of Civilians in Armed Conflict

### **Introduction**

Armed conflict continues to be a pressing issue which impacts livelihoods, and because of the severe lack of regard for International Humanitarian Law (IHL), civilians continue to be most affected by armed conflicts.<sup>98</sup> In 2018, the International Committee of the Red Cross identified that 2 billion people worldwide were affected by armed conflict.<sup>99</sup> As outlined in the Secretary-General's 2019 report on "Protection of Civilians Affected by Armed Conflict", some of the challenges of armed conflict include environmental protection, forced migration, and food security.<sup>100</sup> Among addressing these challenges, United Nations (UN) Secretary-General António Guterres mentioned the need to promote accountability for not protecting civilians in areas of armed conflict.<sup>101</sup> The *Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949)*, defines the protection of civilians as "persons taking no active part in the hostilities" and calls for prohibiting of: violence, the use of hostages, impacts to personal dignity, or improper persecution."<sup>102</sup>

The Security Council works to maintain international peace and security, which includes reviewing threats to peace, disputes that may lead to hostilities, or other challenges in maintaining international security.<sup>103</sup> Measures the Security Council can use for protection measures include the review and recommendation of dispute resolution, the use of sanctions against countries who fail to prevent violence that impacts civilians, or the ability to call for military action in order to reduce the threat of an aggressor.<sup>104</sup> The protection of civilians in armed conflict remains a relevant and essential aspect of this mandate.<sup>105</sup> Armed conflicts contribute to disproportionate impacts on civilians, especially those vulnerable groups such as persons with disabilities, youth, and women, and may impact their human rights, and have physical, emotional, and psychological effects.<sup>106</sup> The gaps in fully enforcing protection of civilians include lack of a streamlined protection strategy, leadership, resources, and information.<sup>107</sup> One challenge that the Security Council faces in this matter is that often their response is acute and typically only to immediate threats, rather than through the development of a long term strategy, either in reducing the number of conflicts, or in terms of protecting civilians.<sup>108</sup> In recent years, topics pertaining to the role of the Responsibility to Protect (R2P) and protections of vulnerable persons continue to play a key role in better reducing the impact of armed conflict on civilians.<sup>109</sup>

### **International and Regional Framework**

The Security Council began detailed discussion on the protection of civilians in armed conflict in 1994, and through resolution 918 on "The expansion of the mandate of the UN Assistance Mission for Rwanda and imposition of an arms embargo on Rwanda," in which sanctions were imposed against Rwanda for widespread violence, including the condemnation of killings against innocent civilians.<sup>110</sup> In 1996, Security

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<sup>98</sup> UN DPI, Civilian Experiences, Needs in Conflict Critical to Creating Protection, Accountability Frameworks, Speakers Tell Security Council, *United Nations, Security Council, 8534<sup>th</sup> Meeting*, 2019.

<sup>99</sup> International Committee of the Red Cross, *Global Trends of War and Their Humanitarian Impacts*, 2018.

<sup>100</sup> UN Security Council, *Report of the Secretary-General on Protection of Civilians in Armed Conflict (S/2019/373)*, 2019.

<sup>101</sup> Ibid.

<sup>102</sup> *Geneva Convention Relative to the Protection of Civilian Persons in Times of War (2<sup>nd</sup> part)*, 1949.

<sup>103</sup> UN DPI, *What is the Security Council?*, 2020.

<sup>104</sup> UN DPI, *Functions and Powers*, 2020.

<sup>105</sup> Ibid.

<sup>106</sup> UN Security Council, *Resolution 2475 (S/RES/2475)*, 2019.

<sup>107</sup> UN DPO and UN OCHA, *Protecting Civilians in the Context of UN Peacekeeping Operations Successes, Setbacks and Remaining Challenges*, 2009, pp. 8-9.

<sup>108</sup> Center for Civilians in Conflict, *POC20: Twenty Years of the Protection of Civilians Challenges, Progress, and Priorities for the Future*, 2019.

<sup>109</sup> Global Center for the Responsibility to Protect, *What is R2P?*, 2020; UN Security Council, *Report of the Secretary-General on Protection of Civilians in Armed Conflict (S/2020/366)*, 2020.

<sup>110</sup> UN Security Council, *Resolution 918 (S/RES/918)*, 1994.

Council resolution 1080 on “The situation in the Great Lakes region” also called for states to increase their efforts to improve the situation for humanitarian organizations to operate and provide aid to persons affected by armed conflict, specifically vulnerable groups including “displaced persons, refugees and civilians at risk” in Zaire.<sup>111</sup> In 1999, Security Council resolution 1265 on “The protection of civilians in armed conflict” strongly condemned the intentional targeting of civilians, including the importance for states to resolve potential conflicts, including “genocide, crimes against humanity, and serious violations of international humanitarian law.”<sup>112</sup> The resolution also emphasized the importance of protection measures for humanitarian personnel, the importance of peacebuilding and peacekeeping, and the impacts of conflict on children.<sup>113</sup> Security Council resolution 1502 (2003) on “Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones” further elaborates on how Member States can protect civilians and humanitarian personnel trying to assist them.<sup>114</sup> Adopted as part of the proceedings of the 2005 World Summit, R2P was identified to address the concept that states have a responsibility to protect both its own and other citizens during times of conflict, genocide, or other crimes against humanity as outlined in chapters VI and VIII of the Charter of the United Nations. Security Council resolution 2150 (2014) on “Threats to international peace and security” identified the importance of the role of states in preventing genocide, and other offences to international law, including R2P.<sup>115</sup>

With pressures to increase protection of health and medical workers impacted by armed conflict, the Security Council adopted resolution 2286 in 2016 on “Protection of civilians in armed conflict,” which called upon states to ensure they have adequate armed forces to protect these groups, increased investigations into these violations of IHL, and need to develop adequate protection measures for these groups.<sup>116</sup> In 2018, due to rising food insecurity and its impacts on stability, another Security Council resolution 2417 on “Protection of civilians in armed conflict” was adopted and identified the link between armed conflict and food security, including the disruptions to food supply chains, and denial of food related to humanitarian operations.<sup>117</sup> Most recently in 2019, the Security Council adopted two resolutions pertaining to the protection of civilians; resolution 2474 talked about the impacts of armed conflict and resulting missing persons, while resolution 2475 spoke about the inherent challenges for the protection of persons with disabilities during armed conflict.<sup>118</sup> Current issues that remain under discussion for the Security Council include compliance with IHL, protection of vulnerable persons such as women, and the protection of health workers and associated facilities.<sup>119</sup>

Regionally, the Organization for American States (OAS) has adopted a number of conventions pertaining to protection, including the *American Convention on Human Rights “Pact of San Jose, Costa Rica”* (1969) which outlined a number of human rights, including the right to protection, right to life, and right to humane treatment.<sup>120</sup> OAS also adopted the *Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes Against Persons and Related Extortion that are of International Significance* (1971) that outlines states should take adequate measures to ensure the protection of persons from various crimes.<sup>121</sup> Recently, the African Union has taken measures to develop better regional cooperation through the adoption of *Agenda 2063: The Africa We Want* (2013).<sup>122</sup> Specifically, Article 39 of agenda

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<sup>111</sup> UN Security Council, *Resolution 1080 (S/RES/1080)*, 1996.

<sup>112</sup> UN Security Council, *Resolution 1265 (S/RES/1265)*, 1999.

<sup>113</sup> *Ibid.*

<sup>114</sup> UN Security Council, *Resolution 1502 (S/RES/1502)*, 2003.

<sup>115</sup> UN Security Council, *Resolution 2150 (S/RES/2150)*, 2014.

<sup>116</sup> UN Security Council, *Resolution 2286 (S/RES/2286)*, 2016, p. 4.

<sup>117</sup> UN Security Council, *Resolution 2417 (S/RES/2417)*, 2018, p. 3.

<sup>118</sup> UN Security Council, *Resolution 2474 (S/RES/2474)*, 2019; *Ibid.*

<sup>119</sup> Security Council Report, *May 2020 Monthly Forecast Protection of Civilians*, 2020.

<sup>120</sup> Organization of American States, *American Convention on Human Rights “Pact of San Jose, Costa Rica” (B-32)*, 1969.

<sup>121</sup> Organization of American States, *Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes Against Persons and Related Extortion that are of International Significance (A-49)*, 1971.

<sup>122</sup> African Union, *Agenda 2063: The Africa We Want*, 2013.

2063 focuses on developing the capacity for the African region to develop measures to improve peace and security, and ensure the protection of citizens.<sup>123</sup>

### ***Role of the International System***

The protection of civilians in armed conflict remains a relevant and essential aspect of the Security Council's mandate.<sup>124</sup> In the case of dispute resolution, chapter VI of the *Charter of the United Nations* outlines disputes and allows the Security Council to address disputes that are likely to put international peace and security at risk.<sup>125</sup> While the Security Council addresses issues related to protection of civilians in a number of ways, a key aspect that they use to discuss is through Arria-Formula Meetings – informal meetings of members of the Security Council used in cases where not all members agree to meet, may include confidential discussion, or to hear from others involved in pressing security related matters.<sup>126</sup>

The UN Department of Peace Operations (DPO) plays a key role in the tactical protection of civilians, with more than 95% of peacekeepers mandated with the protection of civilians.<sup>127</sup> In the 1999 Security Council resolution 1265 on “Protection of civilians in armed conflict” identified the role and mandate for peacekeeping operations for the protection of civilians was defined, and was first used through Security Council resolution 1270 in relationship to the mission to Sierra Leone.<sup>128</sup> UN peace missions fall under three support areas: protection through political process; providing protection from physical violence; and establishing a protective environment.<sup>129</sup> In partnership with UN DPO, the UN Police also play a key role in order to meet aforementioned areas for peace operations, working in areas of prevention, pre-emption, response, and consolidation for the protection of civilians.<sup>130</sup> UN Police also work with local police forces in areas of identifying and creating core protection policies, strengthening the role of local police in liaising with local communities, and ensuring the adherence to the rule of law; this work also must comply with UN Human Rights Due Diligence Policy (HRDDP).<sup>131</sup>

The UN Office for the Coordination of Humanitarian Affairs (OCHA) plays a key role in ensuring inter-agency policy development on protection, and streamlining protection initiatives to align with all United Nations work.<sup>132</sup> UN OCHA also works on a global level to support policy development, capacity building, the effective cooperation of UN peacekeeping missions, and at the country level to ensure protections are being met for all peoples, including the needs of IDPs.<sup>133</sup> Created by the General Assembly in 1991, the Inter-Agency Standing Committee (IASC) also works towards the protection of civilians through improving the coordination of humanitarian response within the UN system.<sup>134</sup> Their work includes discussion around creating definitions related to protection, address varying intersectional topics on protection, data collection, and situation evaluation.<sup>135</sup> The NGO Working Group on Women, Peace and Security also plays a key role in advocating for the Security Council to take into consideration the many ways women are impacted by armed conflict.<sup>136</sup>

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<sup>123</sup> Ibid.

<sup>124</sup> Ibid.

<sup>125</sup> *Charter of the United Nations*, 1945, Ch. VI.

<sup>126</sup> Security Council Report, *Arria-Formula Meetings*, 2020.

<sup>127</sup> UN DPO, *Protecting Civilians*, 2020.

<sup>128</sup> UN DPO, *The Protection of Civilians in United Nations Peacekeeping*, 2019.

<sup>129</sup> UN DPO, *Civil Affairs Handbook*, 2012.

<sup>130</sup> UN Police, *Protection of Civilians*, 2020.

<sup>131</sup> Ibid.

<sup>132</sup> UN OCHA, *Protection*, 2020.

<sup>133</sup> Ibid.

<sup>134</sup> UN General Assembly, *Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations (A/RES/46/182)*, 1991.

<sup>135</sup> Inter-Agency Standing Committee, *Protection in Humanitarian Action*, 2016.

<sup>136</sup> NGO Working Group on Women, Peace and Security, *Protection of Civilians*, 2020.



## **R2P and the Protection of Civilians**

R2P has been addressed in a number of conflicts including the Central African Republic, Libya, Yemen, Mali, Syria, and most recently in regards to the situation in South Sudan.<sup>137</sup> Security Council resolution 1973 (2011) on “The situation in Libya” provides a strong example of the use of R2P in regards to the council’s response in the Libya Civil War against Muammar Gaddafi’s regime.<sup>138</sup> The resolution authorized Member States to, excluding occupation, use all means necessary to protect civilians who were impacted by the ongoing conflict and also established a “no fly zone,” which effectively banned most flights in Libya’s airspace.<sup>139</sup> With use of force authorized, a NATO-led coalition was formed with the objective to police the arms embargo, enforce a no-fly zone, and protect civilians.<sup>140</sup> Throughout the course several months, the coalition targeted Libyan regime forces, perceiving their advancements and actions as threats to civilians.<sup>141</sup> This crippled the regime, and eventually led to the rebel groups defeating Gaddafi’s forces and with Gaddafi himself being captured and killed.<sup>142</sup> This has led to considerable debate amongst Member States about the legitimacy of R2P, and if authorizing the use of force violates state sovereignty and Article 2.1 of the *Charter of the United Nations*.<sup>143</sup>

Another argument as to why R2P has not been as successful as intended is it often is only used where the wider international community must take action, sometimes through the use of military intervention.<sup>144</sup> This means addressing additional pillars of R2P, which includes prevention and ensuring crimes against humanity do not occur, but also to help societies rebuild following the fallout of a conflict.<sup>145</sup> In 2019, the use of R2P was identified as a strong policy tool to allow for the reduction of crimes and has a strong link to the protection of civilians.<sup>146</sup> It has been argued that the role of R2P has been less impactful in recent years as its scope has narrowed.<sup>147</sup> This narrowing has been done in order to increase the potential use in other applications and increase international support for the concept, however even with the reduced scope, there has not been much growth in its utilization or acceptability.<sup>148</sup> A more robust relationship between the Security Council and Human Rights Council could lead to increased understanding of potential security challenges, and lead to the actual prevention of crimes against humanity, rather than acutely responded to security issues once they have already escalated.<sup>149</sup>

## **Protection of Vulnerable Groups**

Many civilians who experience conflict are prone to increased risks that can enhance certain inherent vulnerabilities in groups such as women, children, persons with disabilities (PWDs), and refugees and internally displaced persons (IDPs).<sup>150</sup> Some of their inherent vulnerabilities can affect their entire way of life, and increase their risk of violence and lack of access to basic needs.<sup>151</sup> Women and girls are particularly at risk due to increased sexual violence, often as a result of being away from home, forced displacement, reduced access to basic needs, and often having to become primary caretakers of their

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<sup>137</sup> Ibid; UN Security Council, *Resolution 2514 (S/RES/2514)*, 2020, p. 4; Global Center for Responsibility to Protect, *R2P Monitor Issue 59*, 2020.

<sup>138</sup> UN Security Council, *Resolution 1973 (S/RES/1973)*, 2011, p. 3.

<sup>139</sup> Ibid, p. 3.

<sup>140</sup> Lopez, *Responsibility to Protect at a Crossroads: The Crisis in Libya*, 2015.

<sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Sarkin, *Why Security Council Reform is Essential for the Responsibility to Protect to Actually Impact the Global Level of Atrocity Crimes*, 2018.

<sup>145</sup> Ibid; Ibid.

<sup>146</sup> UN General Assembly, *The Responsibility to Protect and the Prevention of Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity (A/73/PV.93)*, 2019.

<sup>147</sup> Ibid; Ibid.

<sup>148</sup> Ibid; Ibid.

<sup>149</sup> Ibid; Ibid.

<sup>150</sup> International Committee of the Red Cross, *Enhancing Protection for Civilians in Armed Conflict and Other Situations of Violence*, 2008.

<sup>151</sup> Ibid.

family.<sup>152</sup> In December 2018, the number of IDPs due to conflict was 41.4 million people, many of whom have been displaced for numerous years.<sup>153</sup> Internal displacement due to armed conflict increases an individual's vulnerability, often impacting their human rights, access to basic needs, and access to social support networks.<sup>154</sup> Some of these needs can include access to education, basic health services, and access to employment.<sup>155</sup> This impact of reduced access to basic needs is particularly challenging for PWDs often due to the lack of financial support to access these services.<sup>156</sup> This vulnerability often makes people more susceptible to higher mortality rates, physical attacks, and sexual violence.<sup>157</sup> IHL including the Fourth Geneva Conventions are still applicable to these groups, including additional protection such as the protection from forced attacks, prohibition of starvation, or collective punishment, among others.<sup>158</sup> Peace operations have also played a strong role in protecting IDPs, specifically through strong adherence to IHL and refugee protections.<sup>159</sup> Since 1999 with the UN Mission to Sierra Leone, the protection of civilians has continued to be a priority of missions, and a focus on developing tools and frameworks to keep civilians safe has allowed for peace missions to be more successful.<sup>160</sup>

Women and girls are also exposed to much higher levels of violence and mistreatment during armed conflict.<sup>161</sup> These levels of violence are also exponentially greater as you fall into multiple categories of vulnerability, which can typically include disability, sexual orientation, or age.<sup>162</sup> In 2018, the IASC implemented a new version of *The Gender Handbook for Humanitarian Action*.<sup>163</sup> The guide identified four areas for integrating a gender perspective into humanitarian efforts, which included, protection, improving assistance, and the promotion of change.<sup>164</sup> While women experience more vulnerabilities and disproportionate impacts due to armed conflict, the Security Council has identified the importance that women play in the prevention and resolution of conflict.<sup>165</sup> In recent years, Security Council resolution 2493 (2019) on "Women, peace, and security" identified that women are still disproportionately impacted by conflict in security related matters, have continued vulnerabilities, and that there is still a need to increase funding and support to women who are involved in conflict situations.<sup>166</sup>

While there has been some significant work accomplished over the last year, the reality of armed conflict continues to persist throughout the world, specifically for women and children who accounted for 42% of those persons affected by armed conflict.<sup>167</sup> The 2019 report of the Secretary-General on "Protection of Civilians in Armed Conflict" outlines some review of how women and other vulnerable groups can better be protected, as well as calls upon the accountability of states to provide protections for these groups.<sup>168</sup> The report gives three recommendations on advancing protection, which include accountability, compliance by non-state armed perpetrators, and the development of national frameworks for protections of persons affected by armed conflict.<sup>169</sup> In the 2019 report *Mapping Women, Peace and Security in the UN Security Council 2018*, the NGO Working Group on Women, Peace and Security identified a number of general recommendations for women in Security Council work, such as inclusion of women in

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<sup>152</sup> Ibid, p. 20.

<sup>153</sup> HRC, *Internal Displacement and the Role of National Human Rights Institutions*, 2019.

<sup>154</sup> International Committee of the Red Cross, *Addressing Internal Displacement in Times of Armed Conflict and Other Violence*, 2018.

<sup>155</sup> Ibid.

<sup>156</sup> Ibid.

<sup>157</sup> OHCHR, *Questions and Answers About IDPs*, 2020.

<sup>158</sup> Ibid; Ibid.

<sup>159</sup> UN Security Council, *Protection of Civilians in Armed Conflict (S/2019/373)*, 2019.

<sup>160</sup> Ibid.

<sup>161</sup> Kristjansdottir, *The Impact of Conflict on Women and Girls*, 2019.

<sup>162</sup> Ibid.

<sup>163</sup> Ibid; Inter-Agency Standing Committee, *The Gender Handbook for Humanitarian Actions*, 2018.

<sup>164</sup> Ibid.

<sup>165</sup> UN Security Council, *Resolution 1325 (S/RES/1325)*, 2000.

<sup>166</sup> UN Security Council, *Resolution 2493 (S/RES/2493)*, 2019.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

negotiations, removal of barriers for the inclusion of women in peace and security discussions, and explicit inclusion of women in outcome documents of the Security Council.<sup>170</sup>

### **Conclusion**

A number of challenges continue to exist for persons affected by armed conflict.<sup>171</sup> Some of the challenges to address protecting civilians from conflict will include the facilitation and access to humanitarian aid, preventing and responding to forced displacement, the protection of children, the protection of women and the reduction of sexual violence, and continued respect for IHL.<sup>172</sup> While armed conflicts continue to impact civilians, it is important that appropriate measures continue to take place in order to reduce both conflict and the adverse effects of these conflicts.<sup>173</sup> There are a number of additional measures that can be taken in order to protect the most vulnerable persons, improve the role of peace operations, and increase the use of specific measures aimed to reduce the number of violations.<sup>174</sup> With more people being affected by conflict and for a longer time period, the impact of armed conflict continue to create adverse effects on billions of people globally.<sup>175</sup>

### **Further Research**

What additional measures should the Security Council put in place to better protect civilians affected by armed conflict? How can or should R2P be expanded to include additional protection measures? How can further protections be applied to the protection of vulnerable groups such as women, youth, and children? How can Security Council or UN reform be used to give a better focus to protection of civilians affected by armed conflict? How can the role of peacekeeping be used to better support the prevention of armed conflict, before impacting civilians? What role do women and other vulnerable groups play in the prevention of armed conflict, and what role do they play in ensuring adequate protections are established for these vulnerable groups?

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*Understanding the practicalities and use of R2P in the context of current ongoing armed conflicts will be important in determining how R2P can better be used in the current UN Security Council system. This will also allow delegates to understand the different types of armed conflicts, provide some statistics on the impacts on civilians, and a history on some of the systemic issues with armed conflict. Delegates will also find this resource to provide some recommendations on how R2P can be used to improve current armed conflicts.*

United Nations, Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs. (2009). *Protecting Civilians in the Context of UN Peacekeeping Operations Successes, Setbacks and Remaining Challenges*. Retrieved 15 February 2020 from:

[https://reliefweb.int/sites/reliefweb.int/files/resources/B752FF2063E282B08525767100751B90-unochoa\\_protecting\\_nov2009.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/B752FF2063E282B08525767100751B90-unochoa_protecting_nov2009.pdf)

*Understanding the role peacekeepers have in achieving the protection of civilians in areas affected by armed conflict will provide delegates with a sound understanding of what actions they can take, and how their work leads to the better protection of civilians. This document looks into the role the Security Council plays, its mandate and relationship*

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<sup>170</sup> NGO Working Group on Women, Peace and Security, *Mapping Women, Peace and Security in the UN Security Council 2018*, 2019.

<sup>171</sup> UN OHCA, *Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*, 2019.

<sup>172</sup> Ibid.

<sup>173</sup> Ibid; Ibid.

<sup>174</sup> Ibid; Ibid.

<sup>175</sup> Ibid.

*to peacekeeping, and provides some additional recommendations. This document also provides a number of examples of peacekeeping operations and protection of civilians.*

United Nations, Office for the Coordination of Humanitarian Affairs. (2019). *Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*. Retrieved 15 February 2020 from:

<https://www.unocha.org/sites/unocha/files/Building%20a%20culture%20of%20protection.pdf>

*Providing a comprehensive overview of the protection of civilians in the context of the Security Council, this document will allow delegates to better understand what has been done, as well as what has or has not been successful. The report begins with a historical overview of how protection has evolved, and then talks about some of the challenges beyond 2019. The report provides a detailed account of some of the most pressing challenges like forced displacement and protection of vulnerable groups. The report also provides a sound understanding of the challenges in enforcing accountability, the use of peacekeeping operations, and some additional recommendations on enhancing protection measures.*

United Nations, Security Council, 7155<sup>th</sup> meeting. (2014). *Resolution 2150 (S/RES/2150)*. Retrieved 3 May 2020 from: [https://undocs.org/s/res/2150\(2014\)](https://undocs.org/s/res/2150(2014))

*This resolution called for the prevention of all forms of grave violence including genocide, as a reminder of the Rwandan Genocide in 1994. This resolution also highlighted the importance that all states have the responsibility to protect civilians in all forms of conflict. The resolution called on states to reaffirm their commitment to the Responsibility to Protect as outlines in the 2005 World Summit Outcome Document, condemn any and all forms of genocide, as well as calling for increased collaboration to understand potential forms of future genocide. Delegates will find this document useful in understanding some of the key actions that the Security Council needs to take, as well as develop a better understanding of R2P.*

United Nations, Security Council. (2020). *Report of the Secretary-General on Protection of Civilians in Armed Conflict (S/2020/366)*. Retrieved 30 May 2020 from: <https://undocs.org/s/2020/366>

*In the recent report of the Secretary-General, he identified a number of challenges for protection of civilians affected by armed conflict, including identifying an overarching challenge of accountability and respect for IHL. The report will outline the current state of protection of civilians and highlight some of the key challenges that are faced globally. In his report, he also highlights the disproportionate impacts of PWDs, missing persons, and hunger related to armed conflict. The report also highlights some new challenges including advanced weapons technologies, digital technology, and peace missions. Delegates will find this report useful as it outlines the current state of the topic and provides practical opportunities for delegates to work to address the topic.*

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