



Security Council

Dear Delegates,

Welcome to the University of New Haven's first annual ItalyMUN. The Chair for Security Council will be Karina Krul, and Co-Chair will be Olivia Bissanti. Karina is currently a senior and pursuing her bachelor's degree in Marine Biology at the University of New Haven. She has participated in their Model United Nations Program for three semesters, including two as the organizations' President and one as Head Delegate. Olivia is currently a sophomore at the University and has participated in their Model United Nations Program for two semesters, including an international conference in Xi'an, China. We are excited to be your Dais for the Security Council at this conference.

The topic before the Security Council is:

- Migration into Europe from Libya

The conference itself will take place over two days and will be filled with fast-paced and intense debate between yourself and your fellow delegates. As a reminder, all conversation throughout the conference should remain diplomatic and inclusive. Please ensure that you are familiar with the rules and procedure for high school conferences prior to the beginning of the conference, including the rules for moderated and unmoderated caucuses.

When conference begins you will move immediately into a debate of the topic. There will be no agenda-setting because there is only one topic. The conference will continue over two days, between moderated and unmoderated caucuses, and delegates will begin to put together working papers in small groups. Delegates will go through several rounds of edits with the Dais until the working paper is accepted as a draft resolution and voted on by the body. This will conclude ItalyMUN for the year and following the closing ceremony, two cultural days will take place.

As this is a United Nations simulation, it is important to remain diplomatic and inclusive above all else. Delegates are encouraged to cooperate with the all other delegates at the conference to create working papers indicative of the whole body. Particularly in the Security Council, it is important to keep in mind that most resolutions are passed through the consensus of all Member States. As delegates, we encourage you to facilitate collaboration between all, excluding no one. We are confident that everyone will maintain diplomacy and in turn create a successful conference for all involved.

We are excited to meet you all in April and good luck in preparing for the conference!

Committee Overview

Following the end of World War II, the five main victors known as the permanent five (P5): China, USSR (Russia), France, the United Kingdom, and the United States sought to find a peaceful means for solving the real-world issues that led to the war. Through this, the United Nations was created and its charter was ratified by those five nations. The charter laid out the



role and make-up of the United Nations, which included the creation of the Security Council. The Security Council is a vital part of the functionality of the United Nations. Its rules of procedure and structure differ greatly from the other organs within the United Nations, making this a very unique and interesting committee to be a part of.

Each committee within the United Nations serves a specific and individualized purpose. As the charter states, the purpose of the Security Council is to, "investigate any dispute or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security." In fulfilling its purpose, the Security Council must respond to such situations by investigating any situation threatening international peace; recommending procedures for peaceful resolution; calling upon other member nations to completely or partially interrupt economic relations as well as sea, air, postal and radio communications or to sever diplomatic relations; and enforcing its decisions militarily, if necessary. Due to the seriousness of the issues brought before the Security Council, its solutions, unlike those of other committees are binding. This means that if a resolution passes all Member States within the United Nations must abide by what the document says.

When the Security Council was first established in 1945, it consisted of the P5 Member States which never changed and six temporary Member States that serve two-year terms. Now there are ten temporary Member States. These temporary Member States are chosen and distributed based on geographical location. There are five Member States from Africa and Asia, one from eastern Europe, two from Latin America and the Caribbean and two from Western Europe. This ensures that each area is partially represented in the proceedings of the Security Council. In cases where the topic at hand affects an area or Member State that is not being represented within the Security Council, these non-participating areas and Member States can join the Security Council in their discussion as observing members. Observing members can participate in the discussion and assist in the resolution making process, however, they cannot vote on substantive issues, such as voting to pass a draft resolution.

The Security Council does not meet on a consistent basis but instead gets called into session when matters of peace and security need to be addressed. Due to the seriousness of breaches of peace and security, the Security Council can choose at any point to pause discussion on one topic and move to discuss a topic that they feel should be prioritized. For many Model United Nations conferences, there is a time freeze which halts any influence from events that have occurred once conference starts. However, due to the actual set up of the Security Council, these time freezes do not affect those within this committee. This allows for "emergency agenda changes" in cases where a serious issue may want to be discussed by participating Member States. During the Italy MUN conference, we may or may not try to simulate emergency agenda changes. In these cases, the Dais will present the new topics to the committee to be voted on.

One of the biggest differences between the Security Council and the other committees is the role of the P5 Member States during the voting process. The P5 Member States have something called the "veto power". Like the other committees, in order for a resolution to pass, a majority of the committee must vote yes. In the Security Council, however, even if there is a majority



agreement on the document, if a P5 Member State votes "no" or "against", their "veto power" goes into effect and the document does not pass.

Statement of the Problem

Throughout history, migrants have fled their homes in order to find refuge in safer countries and areas. Currently, many in Africa and the Middle East are choosing this option in order to get to Europe to start a better life for themselves and their families. With its large coastline and easy location in the Mediterranean Sea, many migrants choose to make their final departure from Africa to Europe through Libya.

The true beginning of the Libyan migration crisis began with the end of the reign of Muammar Gaddafi. In 2011, inspired by the revolutions in Tunisia and Egypt, the Libyan people stood up and overturned the dictatorship of Gaddafi. The country was filled with rebellions and violence causing much turmoil for its citizens. When a group of rebels formed the National Transitional Council (NTC) set out to overthrow Gaddafi, NATO assisted through airstrikes and no-fly zones. The country became conflict-ridden, causing many to seek refuge through migrating to Europe. With the increase of migrants, the illegal immigrant smuggling business entered Libya. This profitable market involved the illicit trade of humans and goods through the Mediterranean Sea.

As more and more countries found themselves in violence, migrants fled to Libya to prepare for their dangerous and life-threatening journey across the Mediterranean into Italy. In fact, five out of the six countries bordering Libya have either have been deeply involved in a war or are in the middle of a turbulent and violent situation. Italy quickly saw thousands of migrants arriving at their shores. In order to protect their own borders, the Italian government made deals with Gaddafi to secure the Libyan border and keep migrants from crossing the sea. However, when Gaddafi's reign came to an end so did the agreements that were made. Therefore, without the mutual partnerships to end African migration, the Libyan migrant situation had grown significantly. Those fleeing from Africa landed on the European shores both alive and dead. This situation had become a severe international peace, security and human rights matter that needed the attention of the UN and the Security Council.

Though it is impossible to count, an estimated 3,000 people have died seeking refuge in Italy while crossing the Mediterranean. Those leaving from Libya are not all Libyans but most are those coming from other countries. Their trips to freedom take them across deserts with dangerously high heats and through areas in which they may fall victim to robbery, kidnapping, and murder. All this occurs before they even decide to make the trip across the Mediterranean Sea, where they cram onto rafts way past maximum occupancy and travel across the sea. From beginning to end, migrants face death to escape violence.

History of the Issue



Libya is the major hub for migration from half of Africa into Europe, primarily Italy because Libya's coast offers the quickest, but the deadliest route to Italy. There is no easy solution to this challenging problem, particularly because the migrants from Libya come from all over half of the continent and thus have diverse needs. Six countries border Libya and five of them are either in a state of war or violent unrest.¹ Migration from Libya into Italy has a long history, and to understand it in its entirety, it is necessary to understand the situation pre and post the Libyan civil war as well as the details of the civil war.

The Libyan Civil War

Prior to the Libyan civil war, Italy had an arrangement with Gaddafi so he would mitigate the number of migrants leaving the Libyan border. In 2008, the European Union paid Gaddafi \$500 million in exchange for keeping migrants in Libya. Italy alone then doubled that deal, providing Gaddafi with another \$5 billion over 20 years.¹ However, both pseudo-deals dissolved upon Gaddafi's death, leaving the country's border open and unmonitored. The power vacuum left behind was filled by rivaling factions and a lucrative human trafficking market that still operates, bringing migrants out of the country.¹ His death set the perfect conditions for the Islamic State in Iraq and Greater Syria (ISIS) to come into the country and operate the migrant smuggling business.²

Libya is currently divided between two governments: the Tobruk-based House of Representatives, supported by the Libya National Army militia, and the GNA, the product of a UN initiative to create a national-unity government.³ The unstable state of Libya has made it increasingly difficult to address the migration issue and has dissolved many of the previous measures in place. Europe is faced with a constantly changing nation, which has resulted in uneasy solutions and difficult politics.

Measures to Address Increased Migration

While migration from Libya into Europe is not a new issue, it has been garnering more attention lately. Since the 2000s there have been efforts from every level of government, locally in Libya and Italy, regionally in Europe, and even internationally through the United Nations and various non-governmental organizations (NGOs) involvement.

Libya has had a repressive migration policy since the 2000s, largely due to Gaddafi's hidden racist tendencies towards sub-Saharan Africa. Libya's policies represented this perception and included internment camps along the border. However, the country is ultimately in a constant state of flux between open-door policies with the rest of North Africa and migrant expulsions, pushed by Europe.² Recently, pushed by Italy and all of Europe, Libya has been strict on

¹ Amanda Sakuma, Libya: Damned for Trying, MSNBC <http://www.msnbc.com/specials/migrant-crisis/libya>

² Sylvie Bredeloup & Olivier Pliez, The Libyan Migration Corridor, European University Institute, 2011 <http://cadmus.eui.eu/bitstream/handle/1814/16213/EUUS%20Immigration%20%20Systems%202011%20-%202003.pdf?sequence=1>

³ Henry Storey, The Libya deal: a year on, wherefore the migrant crisis, Foreign Brief, 2018, <https://www.foreignbrief.com/middle-east/libya-deal-year-wherefore-migrant-crisis/>



preventing migrants from entering the outside of Libya and on keeping migrants from leaving their borders.

Starting in 2001, Libya and Europe began conferences and negotiations, but the first large step in Europe-Libya cooperation on illegal migration came in 2003 when Libya offered to take the first action against illegal migration. Currently, the Italian island of Lampedusa acts as the holding center for undocumented migrants who are not immediately deported. The specific details of a bilateral agreement between Italy and Libya, signed in 2008, are undisclosed, however, the deal includes the construction of detention centers and the development of migrant return plans. In 2017, Italy signed a Memorandum of Understanding with the Tripoli-based and UN-backed Government of National Accord, in an attempt to be more strict towards migration and to facilitate the training and equipping of the Libyan coast guard.³ However, due to the instability and lack of true government in Libya, these negotiations have not been overly successful in preventing the illegal human trafficking of migrants into Europe.

Europe as a region has made progress towards uniting together to protect their borders. Since 2006, the entire region has followed the Schengen Borders Code, which outlines common practices to be followed for external border protection and crossing. This code stresses the importance of human dignity and non-discrimination but still gives Member States autonomy over their own border by providing them discretion on border controls when it is a “serious threat to public policy or internal security.”⁴ Europe has been strict on illegal migration from Africa since the early 2000s. In 2000, the European Union forced a clause into the Cotonou Agreement which required all African, Caribbean, and Pacific countries to "accept the return and readmission of any of its illegal migrants from EU territory."⁵ This included the payment for the return and readmission as well as the responsibility of deterring migrations from leaving in the first place.

In the time since Gaddafi’s death, Europe has begun to crack down harder on migrants coming over the Mediterranean, turning boats around at sea and deporting many migrants as soon as they land.¹ Frontex, the European Council’s agency for European Union cooperation on migration, became involved with Libyan migration in 2007 with the FRONTEX-LED mission and then the Nautilus project. Their goal was to “tackle the flow of illegal immigrants embarking from Libyan shores,” among others.² These projects successfully increased the number of illegal migrants detained and sent back.

There has also been international cooperation to mitigate the migration from Libya to Europe. The *Programme for the Enhancement of Transit and Irregular Migration Management* (TRIM) is a joint program with Libya and the International Office of Migration (IOM) implemented to support the Libyan government in countering illegal migration and developing a long-term

⁴ Simon McMahon, North African Migration and Europe’s Contextual Mediterranean Border in Light of the Lampedusa Migrant Crisis of 2011, European University Institute, 2012, http://diana-n.iue.it:8080/bitstream/handle/1814/24754/SPS_2012_07.pdf?sequence=1&isAllowed=y

⁵ Luiza Bialasiewicz, Off-shoring and out-sourcing the borders of Europe: Libya and EU border work in the Mediterranean, University of Amsterdam, 2013, https://pure.uva.nl/ws/files/1225665/119223_Off_shoring_and_Out_sourcing_the_Borders_of_Europe.pdf



migration management approach. IOM under this plan is responsible for helping supply Libya's labor demand, inform migrants of the dangers associated with irregular migration, improve services and conditions of detention centers, develop a return program, and strengthen cooperation between origin and destination countries.⁶

On the international stage and within the UN, more has been done to combat the violation of human rights than to combat the migration itself. The Security Council has taken on a significant role in investigating all potential human rights violations and has passed numerous resolutions on the subject.

Current Situation

The current situation in Libya has made it difficult for collaboration on illegal migration and resulted in unstable solutions that have often led to the questionable treatment of migrants. Although Italy has denied all major allegations, several international organizations have expressed concern for the treatment of migrants in detention centers. Libya has also expressed discontent in the notion that there have been significant human rights violations. In 2010 Libya expelled UNHCR to voice its disapproval of the 1951 convention on the status of refugees.² European non-governmental organizations (NGOs) have called out the center for its lack of effectiveness as well as the migrants lack of access to legal aid and the United Nations Human Rights Committee has expressed concern over the conditions of detention and procedure.⁶ Many NGOs have also expressed concern that Italy may be in breach of the Geneva Convention's non-refoulement principle, which prevents countries from expelling migrants to their countries of origin if they face persecution for any reason.⁶ There has been recent concern about the illegal trafficking of both individuals and unsecured arms, made possible by the lack of real governance in Libya. Recently, attention has turned to the impact these illegal markets are having on the human rights and quality of life for migrants attempting to find asylum in Europe.

There have been numerous attempts, both regional and international to mitigate the human rights violations in migrant detention centers. The European Parliament passed the Resolution on Lampedusa, calling Italy to guarantee the individual examination of requests for asylum and grant UNHCR free access to the center.⁶

The United Nations has taken steps to help with the situation in Libya, primarily through the Security Council. The Security Council has passed numerous resolutions regarding the situation in Libya as it relates to human rights violations. The UN's first step towards preventing human rights violations since Gaddafi's death came in 2011 was when the Security Council 1970 imposed an arms embargo which targeted sanctions such as an asset freeze and travel ban.⁷ The biggest step being Security Council Resolution 2009 (2011) established the United Nations Support Mission for Libya (UNSMIL) and reaffirmed the UN's commitment to the protection of

⁶ Rutvica Andrijasevic, How to balance rights and responsibilities on asylum at the EU's Southern border of Italy and Libya, Center on Migration, Policy, and Society, 2006, <http://oro.open.ac.uk/12652/1/COMPASWP.pdf>

⁷ Security Council, S/RES/1970 (2011), <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20RES%201970.pdf>



human rights while taking measures to investigate the human rights violations in Libya.⁸ UNSMIL has been extended seven times to help with the continuing political and human rights issues within the country. Security Council 2144 (2014) calls upon Libya to cooperate with the International Criminal Court and to “promote and protect human rights.” Most importantly, it extended UNSMIL’s mandate to promote rule of law, monitor the protection of human rights within Libya, and ensure a stable

transition to democracy as well as control unsecured arms to prevent their misuse and trafficking.⁹ UNSMIL has been renewed as recently as 2015, with Security Council resolution 2213.¹⁰

Although much has been done to combat the violation of human rights as a product of the Libyan migration crisis, migrants continue to suffer. Every day migrants continue to wash up on the shores of Italy, alive and dead, and those who survive the journey are often either immediately deported or detained for years without seeing any legal counsel. The allegations of starvation, abuse, and rape within the detention centers continue through investigation, and the instability of Libya’s current political situation continue to prevent any real change. As long as this crisis remains unsolved, more migrants will continue to suffer in hopes of a new future.

Further Research

As part of your research, we highly recommend all delegates to remember to completely understand and utilize the policies and practices that their Member State already has in place. However, research should not be limited to just your own Member State. It is your job to understand the actions taken by the Member States you have partnerships, agreements and/or similar viewpoints with. By directing your focus to these areas of research you will be able to identify more *creative* and probable solutions to the issue of Migration into Europe from Libya.

In addition to the research previously mentioned please make sure that you are also directing your research to what the United Nation has already done or stated regarding this topic. One area that may provide some vital information for your research is a convention. Specifically, United Nations Conventions which focus on issues of migration and refugees. The United

⁸ Security Council, S/RES/2009 (2011),

http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2009%20%282011%29

⁹ Security Council, S/RES/2144 (2014), http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2144.pdf

¹⁰ Security Council, S/RES/2213 (2015) http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2213.pdf

http://www.securitycouncilreport.org/un-documents/search.php?ctype=Libya&rtype=Security%20Council%20Resolutions&cbtype=libya&search=%22Security%20Council%20Resolutions%22%20AND%20%22Libya%22&_mode=tag&IncludeBlogs=10&limit=15&page=2



Nations International Labor Organization (ILO), as well as other bodies, have consistently looked at areas of conversation relating to the topic at hand.

Another place to focus attention within the UN is UN protocols. UN protocols are documents in which the Member States can choose to be parties too. These protocols if ratified and accepted by the Member States then become a part of that Member State's policy on a particular subject. The UN has many protocols which relate to the issue we have before us in our Security Council session for Italy MUN. Therefore, these protocols can provide specific information on policy and stance by a particular Member State.

The UN is not and should not be your only source of information. The Dais strongly encourages delegates to look at policies and procedures by affected regional blocks and the Member States. This research will help you to identify what is already in place and what has not already been done, in addition to making sure you do not suggest a resolution that goes against policies already in place.

Though we have given you a few ideas on where to direct your guide. The more you know the easier the conference will be. We wish you all the luck in your research and we look forward to meeting you in April. Finally, and most importantly don't forget to have fun!