



THE GOENKA MUN' 23

SUSTAINING IDEAS | CREATING CHANGE



UNITED NATIONS SECURITY COUNCIL

“PROTECTION OF CIVILIANS AGAINST
ARMED CONFLICT WITH SPECIAL
EMPHASIS ON PEACEBUILDING AND
SUSTAINING PEACE.”

BACKGROUND GUIDE

MESSAGE FROM THE EXECUTIVE BOARD

Greetings Members,

This guide was made to help you get started on your study and give you a quick look at the topic. This document should be used as a starting place for more research, not as an end in itself.

It's also important to remember that you can only deal with this committee if

you're willing to do a lot of research and turn that information into ideas.

The Executive Board and the people who are putting this together want to make this as easy as possible for you. Your happiness will always be the most important thing to us. Don't be afraid to talk to us about anything at any time.

Even if you think they are silly, trust me, we had them when we were just starting out.

As you get used to where you are in committee, your confidence will grow little

by little.

Come with an open mind, a willingness to watch, and, most importantly, a willingness to try. We've learned that speaking in public can be kind of addicting. Give yourself a chance, and you'll come to like it.

Never forget that during a heated argument, people often forget to think about

the ideas that have been brought up, but in this committee, only the calm and

analytical will win. As soon as this game starts, you will be better than you have ever been, even if you roll the dice badly.

We hope the best for you and hope that this will be a good experience for you.

We're always available to answer your questions and clear up your worries.

We're looking forward to a great exercise and discussion about reflation.

From,

Cheerayu Kapoor- Chairperson

Zena Sharma- Vice Chairperson

INTRODUCTION TO THE COMMITTEE

The United Nations Security Council is one of the principal organs of the United Nations and plays a crucial role in maintaining international peace and security. The UNSC consists of 15 member states, five of which are permanent members with veto power (China, France, Russia, the United Kingdom, and the United States), and ten non-permanent members elected for two-year terms. The Council's primary responsibilities include identifying threats to international peace, issuing resolutions, and authorising military and non-military measures to address conflicts.

BACKGROUND OF THE AGENDA: PROTECTION OF CIVILIANS AGAINST ARMED CONFLICT

In recent years, armed conflicts around the world have increasingly resulted in significant harm to civilian populations. Civilians often bear the brunt of hostilities, facing violence, displacement, and grave human rights abuses. The Security Council recognizes the importance of addressing the issue of protecting civilians during armed conflict and has engaged in various initiatives to address this concern.

The agenda "Protection of Civilians against Armed Conflict with Special Emphasis on Peacebuilding and Sustaining Peace" focuses on enhancing the international community's efforts to protect civilians caught in the midst of armed conflicts. This entails not only mitigating immediate harm but also addressing the underlying causes of conflicts to build sustainable peace.

KEY ISSUES TO CONSIDER

1. **Violence against Civilians:** The Council should examine and address instances of violence perpetrated against civilians, including attacks on schools, hospitals, and other essential infrastructure, as well as the use of tactics like sexual violence, forced recruitment of child soldiers, and indiscriminate targeting of civilian areas.

2. **Displacement and Refugee Crisis:** Armed conflicts often result in mass displacement of civilians, leading to refugee crises both within and across borders. The Council should explore ways to provide humanitarian assistance to internally displaced persons (IDPs) and refugees while finding durable solutions to their plight.

3. **Peacekeeping and Peacebuilding Operations:** Assessing the effectiveness of UN peacekeeping missions and identifying ways to strengthen their capacity to protect civilians is crucial. Additionally, the Council should consider how peacebuilding efforts can contribute to sustainable peace and prevent the recurrence of violence.

4. **Protection of Humanitarian Workers:** Humanitarian workers providing assistance in conflict zones are increasingly becoming targets of attacks. Ensuring the safety and security of aid personnel is paramount to guaranteeing access to critical humanitarian aid.

5. **Role of Non-State Actors:** The involvement of non-state actors, such as armed groups and terrorist organisations, in conflicts raises complex challenges for protecting civilians. The Council should discuss strategies to hold such actors accountable for their actions and minimise civilian harm.

KEY ISSUES TO CONSIDER

6. **Prevention and Early Warning Mechanisms:** Exploring early warning mechanisms to identify potential conflicts and taking preventive actions can be crucial in protecting civilians from violence and displacement.

7. **Gender Perspectives:** Recognizing the different impacts of armed conflict on women, men, girls, and boys and promoting gender-sensitive approaches in peacebuilding and protection efforts.

8. **Accountability and Justice:** The Council should address issues of impunity for perpetrators of crimes against civilians and consider ways to ensure accountability and access to justice for victims.

UNSC'S ROLE AND POSSIBLE ACTIONS

As delegates of the UNSC, your role is to collaboratively work towards crafting comprehensive and effective strategies to protect civilians in armed conflict zones, with a special emphasis on peacebuilding and sustaining peace.

Delegates should consider the following actions:

1. Drafting and passing resolutions that call for specific measures to protect civilians and hold perpetrators accountable.
2. Enhancing peacekeeping missions' mandates to prioritise civilian protection and provide necessary resources for their success.
3. Promoting and supporting peacebuilding initiatives that address the root causes of conflicts and promote sustainable peace.
4. Engaging with relevant stakeholders, including regional organizations and NGOs, to coordinate efforts in protecting civilians.
5. Establishing or reinforcing early warning mechanisms to detect potential conflicts and take preventive actions.
6. Strengthening international cooperation and legal frameworks to ensure accountability for crimes committed against civilians.
7. Encouraging member states to implement measures that protect civilians in their national policies and military strategies.

Remember, the ultimate goal is to create a safer environment for civilians affected by armed conflicts and to foster conditions for lasting peace in conflict-affected regions. Delegates should actively engage in diplomacy, negotiation, and consensus-building to achieve these objectives.

PROTECTION OF CIVILIANS

The Protection of Civilians (PoC) refers to the safeguarding of civilian populations from the adverse effects of armed conflicts, violence, and other forms of insecurity. It is a core principle of international humanitarian law (IHL) that aims to ensure the safety, well-being, and dignity of civilians who find themselves caught in the midst of armed hostilities. The principle of PoC is founded on the recognition that civilians, by the virtue of their non-combatant status, should be spared from the direct effects of hostilities and treated with humanity.

The United Nations Security Council Resolution 1674 (2006) defines PoC as "all activities aimed at obtaining full respect for the rights of the individual in accordance with international humanitarian law, international human rights law, and international refugee law." PoC encompasses various measures, such as the establishment of safe zones, the provision of humanitarian aid, and the prevention of violence against civilians, including acts of sexual violence and exploitation.

SIGNIFICANCE OF PEACEBUILDING AND SUSTAINING PEACE

6.1 Peacebuilding:

Peacebuilding refers to a range of efforts, processes, and interventions designed to prevent the outbreak, recurrence, or escalation of violent conflict and to foster sustainable peace. It involves addressing the root causes of conflicts, promoting reconciliation, and building resilient societies that can peacefully manage their differences. Peacebuilding is not just about resolving conflicts after they have erupted; it seeks to establish the conditions for peace to take hold and flourish even in the most fragile and conflict-prone environments.

Key components of peacebuilding include:

- a. **Conflict Prevention:** Identifying and addressing the underlying drivers of conflicts before they escalate into violence. This involves early warning mechanisms and preventive diplomacy.
- b. **Conflict Resolution:** Facilitating dialogue, negotiation, and mediation between conflicting parties to reach peaceful settlements.
- c. **Reconciliation:** Promoting healing, justice, and social cohesion among divided communities affected by conflict.
- d. **Governance and Rule of Law:** Strengthening institutions and promoting good governance, accountability, and respect for the rule of law.
- e. **Economic Development:** Fostering sustainable economic growth and development to reduce poverty and inequality, which are often drivers of conflict.

SIGNIFICANCE OF PEACEBUILDING AND SUSTAINING PEACE

6.2 Sustaining Peace:

Sustaining peace is a concept that emphasises the interconnectedness between peace, security, development, and human rights. It goes beyond addressing the immediate manifestations of violence and seeks to create a holistic and inclusive environment that prevents the recurrence of conflict in the long term. Sustaining peace involves maintaining and building upon the gains achieved through peacebuilding efforts.

Key elements of sustaining peace include:

- a. **Preventive Diplomacy:** Engaging in diplomatic efforts and dialogue to prevent disputes from escalating into violence.
- b. **Social Inclusion and Participation:** Ensuring the active involvement and representation of all segments of society, including women, youth, and marginalised groups, in decision-making processes.
- c. **Human Rights and the Rule of Law:** Upholding human rights principles and ensuring the equitable application of the law to protect all individuals and communities.
- d. **Sustainable Development:** Focusing on long-term development and addressing the structural causes of conflicts, such as poverty, inequality, and environmental degradation.
- e. **Strengthening Resilience:** Building the capacity of societies to cope with and recover from shocks, including conflicts and natural disasters.

SIGNIFICANCE OF PEACEBUILDING AND SUSTAINING PEACE IN RELATION TO THE PROTECTION OF CIVILIANS:

Peacebuilding and sustaining peace are essential components of an effective approach to the protection of civilians in armed conflicts. They provide a framework for addressing the root causes of violence and insecurity, which, if left unaddressed, can lead to further harm and suffering for civilian populations. By promoting dialogue, reconciliation, and social cohesion, peacebuilding efforts can help to de-escalate tensions and prevent conflicts from erupting or reoccurring.

Sustaining peace emphasises the importance of addressing the long-term structural factors that contribute to the vulnerability of civilian populations. By focusing on sustainable development, social inclusion, and respect for human rights, sustaining peace initiatives aim to create a stable and secure environment where civilians can thrive.

Furthermore, peacebuilding and sustaining peace efforts are closely linked to the provision of humanitarian assistance and the protection of civilian populations during armed conflicts. By establishing peace and stability, humanitarian actors can access vulnerable populations more effectively and deliver much-needed aid and services. Additionally, peacebuilding and sustaining peace efforts help create an environment conducive to the safe and voluntary return of displaced populations, thereby contributing to their protection.

In summary, peacebuilding and sustaining peace are crucial for ensuring the effective protection of civilians in armed conflicts, not only by addressing immediate threats but also by creating a foundation for lasting peace and stability that benefits all members of society.

EVOLUTION OF ARMED CONFLICTS:

Armed conflicts have undergone significant evolution throughout human history. While the basic nature of conflict remains rooted in competition for resources, power, and ideologies, the methods, scale, and actors involved have changed over time. The evolution of armed conflicts can be traced through different historical phases:

- 1. Traditional Warfare:** Early armed conflicts were often small-scale and localised, primarily fought with rudimentary weapons such as bows, arrows, and spears. These conflicts were often between tribes, clans, or city-states, driven by territorial disputes and struggles for dominance.
- 2. Mediaeval Warfare:** The mediaeval period saw the rise of feudal armies, knights, and castles. Armed conflicts were characterised by chivalry, sieges, and territorial expansion. Religious motivations also played a significant role in many conflicts during this era.
- 3. Industrial Revolution and Modern Warfare:** The Industrial Revolution brought significant advancements in weaponry and technology, leading to the rise of modern warfare. Firearms, artillery, and the mechanisation of armies transformed the scale and intensity of armed conflicts. World War I and World War II are prime examples of this era's devastating conflicts.
- 4. Cold War and Proxy Wars:** The post-World War II period was marked by the ideological struggle between the United States and the Soviet Union, known as the Cold War. Many armed conflicts occurred as proxy wars, with these superpowers supporting opposing factions in different regions to advance their interests.
- 5. Contemporary Warfare:** The latter half of the 20th century and beyond saw a shift in armed conflicts, with an increase in intra-state conflicts (civil wars) rather than wars between nations. Non-state actors, such as rebel groups and terrorist organisations, became prominent participants in conflicts, challenging traditional state-centric warfare.

EVOLUTION OF ARMED CONFLICTS:

6. Asymmetric Warfare: In recent times, armed conflicts have increasingly involved asymmetric warfare, where weaker actors employ unconventional tactics against stronger opponents. This includes guerrilla warfare, terrorism, and cyber warfare.

IMPACT ON CIVILIAN POPULATIONS:

Armed conflicts have profound and often devastating effects on civilian populations, with civilians bearing the brunt of the violence and chaos. The impact on civilians can be observed in various ways:

- 1. Loss of Lives and Injuries:** Civilians are often caught in the crossfire during armed conflicts, leading to significant loss of life and injuries. Indiscriminate attacks, aerial bombings, and the use of explosive weapons in populated areas contribute to civilian casualties.
- 2. Displacement and Refugees:** Armed conflicts force millions of civilians to flee their homes, becoming internally displaced within their countries or seeking refuge in neighbouring nations. This displacement disrupts lives, creates humanitarian crises, and exposes displaced populations to further vulnerabilities.
- 3. Humanitarian Crisis:** Armed conflicts severely disrupt essential services and infrastructure, making it challenging for humanitarian organizations to access and provide aid to civilians in need. This results in food insecurity, lack of medical care, and sanitation issues, contributing to a broader humanitarian crisis.
- 4. Gender-Based Violence:** Women and girls often face specific vulnerabilities during armed conflicts, experiencing higher risks of gender-based violence, including sexual violence, forced marriages, and human trafficking.
- 5. Psychological Trauma:** Civilians who survive armed conflicts may suffer from long-lasting psychological trauma due to witnessing violence, losing loved ones, and enduring displacement and insecurity.
- 6. Destruction of Cultural Heritage:** Armed conflicts often result in the destruction of cultural heritage sites, monuments, and artifacts, erasing significant parts of a community's history and identity.

IMPACT ON CIVILIAN POPULATIONS:

7. **Children in Armed Conflicts:** Children are disproportionately affected by armed conflicts. They are recruited as child soldiers, exposed to violence, separated from their families, and deprived of education and basic rights.

In conclusion, armed conflicts have evolved over time, and their impact on civilian populations remains a grave concern. Addressing the protection of civilians in armed conflicts is essential to mitigate the humanitarian toll and uphold international humanitarian law principles. It requires concerted efforts from the international community to prevent and resolve conflicts, ensure accountability for violations, and prioritise the well-being and safety of civilians affected by armed hostilities.

INTERNATIONAL HUMANITARIAN LAW (IHL)

International Humanitarian Law, also known as the Law of Armed Conflict, is a set of rules and principles that aim to regulate the conduct of parties involved in armed conflicts. Its primary objective is to protect individuals who are not or are no longer participating in the hostilities, including civilians and wounded or captured combatants. IHL is governed by various international treaties and customary practices, and its main sources include the Geneva Conventions of 1949 and their Additional Protocols.

Key principles of International Humanitarian Law include:

- 1. Distinction:** The principle of distinction requires parties to distinguish between combatants and civilians, as well as civilian objects and military targets. Attacks must be directed solely at legitimate military objectives and must not intentionally target civilians or civilian infrastructure.
- 2. Proportionality:** According to this principle, the anticipated military advantage of an attack must outweigh the potential harm to civilians and civilian objects. Disproportionate attacks, where the expected civilian harm is excessive compared to the military gain, are prohibited.
- 3. Precautions:** Parties to the conflict are obligated to take all feasible precautions to minimise harm to civilians and civilian objects. This includes providing advance warnings of attacks when possible and avoiding locating military objectives in densely populated areas.
- 4. Prohibition of Torture and Ill-Treatment:** IHL strictly prohibits torture, cruel treatment, and inhumane acts against any person, whether they are taking part in hostilities or not.
- 5. Protection of Medical and Humanitarian Personnel:** Medical personnel, facilities, and humanitarian workers must be respected and protected during armed conflicts, and they must be allowed to carry out their duties without interference.

INTERNATIONAL HUMAN RIGHTS LAW (IHRL)

International Human Rights Law is a body of international law that outlines the rights and freedoms that every individual is entitled to by virtue of being a human being. It applies in peacetime as well as during armed conflicts, but during armed conflicts, IHRL continues to apply to the extent not overridden by more specific provisions of International Humanitarian Law. The Universal Declaration of Human Rights (UDHR) and various international treaties and conventions, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), form the foundation of IHRL.

Key principles of International Human Rights Law include:

- 1. Universality and Inalienability:** Human rights are applicable to all individuals, irrespective of their nationality, race, religion, or any other status. They are inherent to human beings and cannot be taken away or forfeited.
- 2. Equality and Non-Discrimination:** Human rights must be equally and without discrimination applied to all individuals. No one should be subject to unfair or unjust treatment based on characteristics such as race, gender, religion, or social status.
- 3. Right to Life:** Everyone has the right to life, and this right shall be protected by law. This includes protection from arbitrary deprivation of life.
- 4. Prohibition of Torture and Cruel, Inhuman, or Degrading Treatment:** All forms of torture, cruel, inhuman, or degrading treatment or punishment are strictly prohibited under IHRL.
- 5. Freedom of Expression and Association:** Individuals have the right to freedom of expression, opinion, and peaceful assembly. These rights enable people to express their ideas and participate in public affairs.\

INTERNATIONAL HUMAN RIGHTS LAW (IHRL)

6. Right to Privacy: Everyone has the right to privacy and protection from arbitrary interference with their private life, family, home, and correspondence.

7. Economic, Social, and Cultural Rights: IHRL recognizes rights related to education, health, work, housing, and an adequate standard of living, among others, aiming to ensure the dignity and well-being of all individuals.

Both IHL and IHRL contribute to the protection of individuals during armed conflicts, with IHL specifically focusing on the conduct of parties involved in hostilities, and IHRL providing broader protections regardless of the circumstances. Together, they establish a framework to preserve human dignity, prevent unnecessary suffering, and uphold the fundamental rights and freedoms of individuals in times of peace and war.

LACK OF COMPLIANCE WITH INTERNATIONAL LAW

One of the significant challenges in protecting civilians during armed conflicts is the lack of compliance with international law, including International Humanitarian Law (IHL) and International Human Rights Law (IHRL). Despite the existence of well-established legal frameworks, parties involved in conflicts sometimes disregard or violate these laws, leading to grave consequences for civilian populations.

Impact on Civilians:

- Civilians become direct targets of attacks, including deliberate bombings of civilian areas, resulting in loss of lives and injuries.
- Violations of the principle of distinction lead to civilian casualties and damage to civilian infrastructure.
- Torture, ill-treatment, and human rights abuses against civilians undermine their safety and dignity.
- Lack of compliance with IHRL deprives civilians of their fundamental rights, including access to food, water, and healthcare.

Inadequate Humanitarian Access:

During armed conflicts, humanitarian organisations face obstacles in accessing affected areas to provide aid and assistance to civilians in need.

Various factors contribute to inadequate humanitarian access:

1. **Security Concerns:** Armed conflicts often create highly volatile and dangerous environments, making it risky for humanitarian workers to operate safely.
2. **Deliberate Obstruction:** Parties to the conflict may intentionally hinder humanitarian access to exert control over civilian populations or to gain a tactical advantage.
3. **Bureaucratic Barriers:** Some governments or armed groups may impose bureaucratic restrictions, such as lengthy permit processes, making it challenging for humanitarian organisations to reach affected areas.

IMPACT ON CIVILIANS:

- Humanitarian aid, including food, clean water, and medical supplies, may be scarce or unavailable, leading to increased suffering and vulnerability.
- Civilians in besieged or hard-to-reach areas may not receive critical assistance, exacerbating the humanitarian crisis.
- Inadequate access can hinder the evacuation of wounded or sick civilians, leading to preventable deaths.

DISPLACEMENT AND REFUGEE CRISES:

Armed conflicts often force civilian populations to flee their homes, resulting in displacement and refugee crises. Displacement occurs in various forms:

1. **Internal Displacement:** People are forced to leave their homes but remain within their country's borders.
2. **Refugee Crisis:** Individuals cross international borders to seek safety and protection in neighbouring countries.

Impact on Civilians:

- Displaced populations face disruptions to their lives, loss of livelihoods, and limited access to basic services and resources.
- Overcrowded and under-resourced refugee camps or displaced persons' settlements can lead to poor living conditions and health risks.
- Displacement can exacerbate pre-existing social tensions and contribute to instability in host communities.

Addressing these challenges requires a collective effort from the international community, including:

- Holding parties accountable for violations of international law through mechanisms like international courts and tribunals.
- Diplomatic efforts to ensure humanitarian access and the safe passage of aid to affected populations.
- Providing support and resources to humanitarian organisations to enhance their capacity to deliver aid in challenging environments.
- Developing comprehensive approaches to address the root causes of displacement and invest in sustainable solutions for refugees and internally displaced persons.

Efforts to enhance compliance with international law, improve humanitarian access, and address displacement and refugee crises are crucial for effectively protecting civilians caught in the midst of armed conflicts and upholding their rights and dignity.

LINKS TO USE FOR RESEARCH:

<https://press.un.org/en/2023/sc15292.doc.htm>

\ <https://academic.oup.com/jcsl/advance-article/doi/10.1093/jcsl/krac037/6982627>

https://www.ohchr.org/Documents/Publications/HR_in_armed_conflict.pdf

<https://www.unwomen.org/en/what-we-do/peace-and-security/facts-and-figures> https://www.nato.int/cps/fr/natohq/news_198285.htm?selectedLocale=kk