Honorable Delegates,

It is my honor to welcome you to South Regional Model United Nations (SRMUN) XXI. My name is Morgan Gibson, and I will serve as your Director for the United Nations Security Council (UNSC). I have been involved with Model United Nations clubs since high school. SRMUN XXI will be my sixth year with the conference and my fourth year on staff. I also served as the Secretary-General of The University of Tennessee High School Model United Nations (UTHSMUN) for two years. In May of 2010, I graduated from the University of Tennessee with a B.A. in Political Science and French. My studies focus on African Politics, International Political Economy, and International Development with specific specialization in food security issues. Joining me at the dais this year is Kyle Proctor, who will serve as your Assistant-Director. Although this is Kyle's first year on staff with SRMUN, he previously participated as a SRMUN delegate to the Security Council. Kyle graduated from Georgia State University with a B.A. in Political Science and a B.B.A. in Computer Information Systems. We are both very excited and honored to be serving the UNSC.

The mandate and work of the UNSC fully embodies the SRMUN XXI theme of "Enhancing Peace through Security Initiatives." As one of the few bodies within the UN system with the ability to pass binding resolutions with legal ramifications and the only body with the authority to direct military forces, Member States of the UNSC have an extraordinary responsibility and obligation to the international community. The UNSC is also unique in its rules of procedure, and especially in its voting procedure. I encourage you to review and familiarize yourself with these rules before the conference. Additionally, the Security Council has an open agenda, which means Members may discuss any topic they so choose. However, Kyle and I have prepared a background guide for the following five topics as suggestions for discussion during the conference:

I.   Reform of the United Nations Peacekeeping Mission
II.   Ethnic Conflict in Sri Lanka
III.   Examining the Impact of Security Council Sanctions
IV.   Review of Space Arms Control
V.   Maritime Security in the Indian Ocean

Each delegation is required to submit a position paper, which should cover any three topics the delegation deems most important to addressing issues of peace and security. This means delegates may choose to write positions on any of the aforementioned proposed topics, or delegates may choose any other topic of particular importance to the delegate's Member State. Position papers should serve as a persuasive tool which clearly lays out a course of action for the committee to pursue in addressing issues of international peace and security. Ideally, these papers will provide researched information about a country's current policies and positions on a topic, as well as show the proposed action sought to solve the issues facing the committee. Position papers should be viewed as an opportunity for delegates to research and begin building a base of knowledge of each topic. Well-developed position papers are factual, informative, and persuasive. Papers should be no more than 2 pages in length, single-spaced.

More detailed information, including format specifications and writing tips, can be found at (www.srmun.org). **Position papers MUST be submitted by October 22nd, 11:59pm EST via the on-line submission system at http://www.srmun.org.**

Kyle and I look forward to working with you over the coming months, and to serving on the UNSC for SRMUN XXI. In researching, please do not hesitate to contact either Kyle or me with questions or concerns. We look forward to reading your position papers and to meeting you at the conference. Good luck!

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History of the United Nations Security Council

The League of Nations, the precursory international organization to the United Nations, laid a strong foundation for beliefs about international peace and security with declarations like those found within the Covenant of the League of Nations. The Covenant asked that Member States, "in order to promote international co-operation and to achieve international peace and security by the acceptance of obligations not to resort to war…"[1,2] With these principles and the failure of the League still in the mind of states, these ideals once again come to light in the creation of the United Nations. The League of Nations could not meet these goals due to several problems—lack of membership, no true military power, fighting amongst the membership, the inability to act quickly—which lead to its eventual downfall.[3] While very few members worked on the League Covenant, over 50 states worked on the United Nations Charter.[4] Furthermore, the original League Covenant "did not stop the right to declare war", even going as far to authorize a time table for war in Article 12 of the Covenant, whereas the United Nations Charter disavows war, while allowing for the United Nations Security Council (UNSC) to use previously mentioned instruments to keep the peace, and being able to enforce security and peace as the committee sees fit.[5,6] While the League was not able to stop states such as Germany and Japan from declaring war, it equally unable as a body to mount a unified response to deal with the aggression of its Member States.[7] However, the Security Council has shown a unified front to states that would potentially threaten international peace and security, by using the escalating scale of instrumentation it has at its disposal to address various situations.[8] The Security Council itself is an attempt to enact the ideals proposed by the League of Nations while alleviating the failures witnessed in the League. The United Nations Charter, Chapter Five, Article 24 states that: "In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf."[9]   In this way, crafters of the UN Charter created the Security Council to overcome the shortcomings of the League of Nations.

The Security Council takes prompt action on matters of international peace and security, with multiple meetings schedules over the course of a month, thus making the Council one of the hardest working committees of the United Nations.[10] The committee focuses its efforts on solving issues of international peace and security by involving a multitude of powers in overseeing and negotiating peaceful resolutions to crises. The power granted to the Security Council can be found under Chapters Five, Six, and Seven of the United Nations Charter. Chapter Six, Article 34 of the Charter gives the Council the ability to *"investigate any dispute or any situation… that would endanger international peace and security"* while Article 35 allows for a Member State or non-Member State to bring forth a matter to the Council that is referenced in Article 34.[11] Once the matter is brought before the Council, the issue may be sent to arbitration or mediation (as discussed in Article 33), or referred to another United Nations body such as the International Court of Justice as written in Articles 36 and 37.[12] However, if an issue referred to the Council cannot be handled through one of these powers, other forceful methods to resolve the issue may be enlisted, such as economic disruption, communication disruption, and severing of diplomatic ties as granted under the Charter in Chapter Seven, Article 41.[13] Military action and involvement is granted to the Council if it is determined the threat

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[1] The United Nations in the Heart of Europe | Library / Archives | The end of the League of Nations
http://www.unog.ch/80256EE60057D930/%28httpPages%29/02076E77C9D0EF73C1256F32002F48B3?OpenDocument.

[2] Avalon Project – Covenant of the League of Nations http://avalon.law.yale.edu/20th_century/leagcov.asp.

[3] Jari Eloranta "Why did the League of Nations Fail?" http://www.ata.boun.edu.tr/ehes/Istanbul%20Conference%20Papers-%20May%202005/WHY_DID_THE_LEAGUE_OF_NATIONS_FAIL.pdf.

[4] "Comparison with the League of Nations." Worldmark Encyclopedia of Nations. 2007.
http://www.encyclopedia.com/doc/1G2-2586700021.html

[5] Ibid.

[6] Avalon Project – Covenant of the League of Nations http://avalon.law.yale.edu/20th_century/leagcov.asp.

[7] Jari Eloranta "Why did the League of Nations Fail?" http://www.ata.boun.edu.tr/ehes/Istanbul%20Conference%20Papers-%20May%202005/WHY_DID_THE_LEAGUE_OF_NATIONS_FAIL.pdf.

[8] United Nations Security Council Resolutions relating to Iraq http://www.casi.org.uk/info/scriraq.html.

[9] "Charter of the United Nations." United Nations. http://www.un.org/aboutun/charter/index.shtml

[10] UN Security Coucil: Resolutions, Presidentials Statements, Meeting Records, SC Press Releases
http://pfcmc.com/depts/dhl/resguide/scact.htm.

[11] Ibid.

[12] Ibid.

[13] Ibid.

is grave enough under Articles 42 through 47.[14] However, before any issue can have a resolution, it must first get 9 of 15 yes votes from the Council, including the permanently seated members.[15]

Fifteen Member States currently reside on the Council. Ten of the seats belong to non-permanent members from differing regions of the world. Membership for these seats rotates and each term lasts two years, with no ability to be immediately re-elected upon the end of the term.[16] The number of seats for rotating states was originally only six. However, in 1965, resolution A/RES/1991(XVIII) passed, increasing the number of seats from six to ten.[17] As of 2010, there are over 70 Member States that have not been elected to fill a rotating seat on the Council.[18] The other 5 seats are known as the permanent seats of the Security Council (P-5). These seats are not up for election and the Member States occupying these seats wield additional power within the committee: the ability to veto matters before the Council.[19] The veto power allows any of the P-5 to vote no on a substantive measure, and the measure as it is written is not passed.[20] This ability gives the P-5 a substantial amount of power, thus usually leading to measures that satisfy all of the P-5 members before going to voting. In recent Council meetings, the veto has been used on average once a year, with the amount of use continually decreasing since the end of the Cold War.[21,22] These permanent seats were given to the victors of the World War II, which are comprised of France, the People's Republic of China, Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. The Presidency of the Security Council is determined on a rotating basis. Each Member of the UNSC takes turn in alphabetical order of names, with each Member serving a term of 1 month.[23]

As of February 2010, there have been over 1900 resolutions passed in the Security Council on a wide variety of topics regarding international peace and security.[24] Some of these resolutions have led to dissention within the Security Council while others have seen unanimous consent amongst all of the Council membership. Unlike some issues that can be dealt with in other committees through the use of a single resolution, the Security Council must often pass multiple resolutions over the span of several weeks or months (potentially over days if the situation deems it necessary) in regard to just a single issue or state. For a variety of reasons, some issues that need to be addressed by the Security Council may take awhile before they appear on the UNSC agenda. These reasons include outside influence of Member States, both inside and outside of the committee, and the agenda of the President of the Security Council. After issues come before the Council, they are generally monitored for a period of time, meaning that the Council can remain actively seized of the matter. By remaining actively seized of the matter, UNSC Member States are able to keep the topic open for discussion on the agenda and can monitor and react to the situation at hand. Resolutions 1529 and 1542 are examples of a situation in which the Council monitored and reacted to an on-going political unrest. These resolutions passed in 2004 establishing the *Mission des Nations Unies pour la stabilisation en Haïti* (MINUSTAH) peacekeeping mission in Haiti in response to opposition parties to then Prime Minister Jean-Bertrand Aristide.[25,26] After much violence and bloodshed between the opposing political force and Aristide's police forces, Aristide ultimately resigned, which led to the intervention by the United Nations. The Council stepped in with peacekeeping forces whose soldiers represented over 10 United Nations Member States.[27] The actions called for in 1529 set up the multinational force for the action in Resolution 1542 to take place.

[14] Ibid.

[15] Ibid.

[16] Membership of the Security Council http://www.un.org/sc/members.asp.

[17] A/RES/1991(XVIII) "Question of equitable representation on the Security Council and the Economic and Social Council" General Assembly http://www.un.org/documents/ga/res/18/ares18.htm.

[18] List of countries never elected members of the Security Council http://www.un.org/sc/list_eng6.asp.

[19] Membership of the UN Security Council http://www.un.org/sc/members.asp.

[20] A/58/47 Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council *See Annex for List*

[21] Changing Patterns in the Use of the Veto in the UNSC   http://www.globalpolicy.org/security-council/tables-and-charts-on-the-security-council-0-82/use-of-the-veto.html.

[22] Subjects of UN Security Council Votes http://www.globalpolicy.org/security-council/tables-and-charts-on-the-security-council-0-82/subjects-of-un-security-council-vetoes.html.

[23] Ibid.

[24] Resolutions of the UN Security Council http://www.un.org/Docs/sc/unsc_resolutions.html.

[25] S/RES/1542 http://www.globalpolicy.org/images/pdfs/0430resolution1542.pdf

[26] S/RES/1529 http://www.globalpolicy.org/images/pdfs/0229resolution1529.pdf

[27] http://www.globalpolicy.org/empire/us-military-expansion-and-intervention/haiti-8-7.html

The action in Resolution 1542 took about 2 months to occur, with the president's resignation speeding up the process.[28] Events like this that show how effective and influential the Security Council can be in dealing with situations of international security.

The Security Council also takes up topics which do not necessarily involve stereotypical situations of international security such as political instability caused by political dissention or nuclear issues. One interesting topic considered recently by the Security Council is the security of women in a war time situation. Generally, women's rights have been addressed in committees specifically addressed to handle it such as the Commission on the Status of Women and the United Nations Development Fund for Women.   However, issues regarding women have started to appear before the Council that was deemed necessary to address. One of the earliest resolutions to address women's security was that of SC Res 798 which was "appalled by reports of the systematic detention and rape of women*" and "demanded that detention camps for women be closed*".[29] This resolution was in regard to the Bosnian War that last from 1992-1995 and where it is thought that over 20,000 women were affected by the conflict.[30] Another resolution similar to 798 is 1769, which authorized the use of a multinational force in Sudan, and was felt that this force would "protect the lives of women*".[31, 32] The biggest resolutions to pass from the Security Council were resolutions 1888, 1889, and 1325. Both 1888 and 1889 were passed in mid-to-late 2009 with the intention of going further than dealing with just further conflicts such as those in Bosnia and Sudan, but to give guidelines for states to abide by in a conflict situation, on top of other documents concerning rules during conflict.[33, 34]

In over sixty years since the creation of the Security Council, there have been several conflicts involving Member States and multitudes of human rights violations. The UNSC has dealt with these situations and have tried to assuage the problem, if not outright end it. Progress continues to be made to make sure that the world is a peaceful for Member States and their citizens.

The Current Membership of the Security Council: AUSTRIA, BOSNIA AND HERZEGOVINA, BRAZIL, FRANCE, GABON, JAPAN, LEBANON, MEXICO, NIGERIA, PEOPLE'S REPUBLIC OF CHINA, RUSSIAN FEDERATION, TURKEY, UGANDA, UNITED KINDOM OF GREAT BRITAIN AND NORTHERN IRELAND, UNITED STATES OF AMERICA.

Topic I: Reform of the United Nations Peacekeeping Mission

"The international community, of which the UN is only a symbol, failed to move beyond self-interest for the sake of Rwanda. While most nations agreed that something should be done they all had an excuses why they should not be the ones to do it." - General Roméo Dallaire, former Force Commander for UNAMIR[35]

Introduction

Since the inception of UN Peacekeeping in 1948, the method and reason behind Peacekeeping has evolved.[36] Although many Peacekeeping missions have been successful, it is necessary to reassess the role Peacekeepers have in conflict zones, as well as reconsider the appropriate method and procedure used to respond to security crises. This topic explores the three broad stages of Peacekeeping over time, how the roles of Peacekeepers have evolved, and ways the United Nations could redefine the mission of Peacekeepers to lead to more successful missions. Specifically, the Council will examine the current stage of Peacekeeping, often defined as peacebuilding. As defined by the UN Peacekeeping *Principles and Guidelines: "Capstone Doctrine,"* peacebuilding refers to

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[28] Ibid.

[29] S/RES/798 http://www.un.org/Docs/scres/1992/scres92.htm

[30] "Justice denied for Bosnian War Victims" Thijs Bouwknegt http://www.rnw.nl/int-justice/Article /justice-denied-bosnian-war-rape-victims

[31] S/RES/1769 http://www.un.org/Docs/sc/unsc_resolutions07.htm

[32] "Hybrid Darfur force will help protect lives of women says UN institute chief" http://www.un.org/apps/news/story.asp?NewsID=23388&Cr=&Cr1=

[33] S/RES/1888 http://www.un.org/Docs/sc/unsc_resolutions09.htm

[34] S/RES/1889 http://www.un.org/Docs/sc/unsc_resolutions09.htm

[35] LGen. Roméo Dallaire (ret). *Shake Hands with the Devil: The failure of humanity in Rwanda.* New York: Carroll and Graf Publishers. 2005. p. 516

[36] "Peacekeeping Home." United Nations Peacekeeping Operations. February 28, 2010. http://www.un.org/en/peacekeeping

"measures aimed at reducing the risk of lapsing or relapsing into conflict, by strengthening national capacities for conflict management, and laying the foundations for sustainable peace."[37] Although peacebuilding can improve the chance that a country will not relapse into conflict, Peacekeepers also have the unique task of helping to shape the course of a Member State's history. In keeping with the theme of "Enhancing Peace through Security Initiatives," the Council must reflect on the sole military force wielded by the United Nations and the potential Peacekeepers have to help maintain international peace.

History

The United Nations Peacekeeping Mission is the only body within the United Nations system with any military capability, and its main purpose is to stabilize and mediate conflict so that a peaceful resolution can be found at the political level.[38] Established in 1948, United Nations Peacekeeping Operations (UNPKO) is governed by the United Nations Charter, the Universal Declaration of Human Rights (UDHR), and by international humanitarian law, such as the Geneva Conventions and Protocols.[39] The mandate of peacekeeping forces derives from the UNSC. "Security Council mandates differ from situation to situation, depending on the nature of the conflict and the specific challenges it presents."[40] As this is the case, the role and aim of UNPKO have evolved and changed over time.

This evolution can be broadly viewed as three separate generations of peacekeeping. These generations are delineated by the differing roles of UN Peacekeepers, the main types of conflicts the UNPKO engaged in at the time, and in the level or existence of peacebuilding as a method to avoid future conflict. The first generation of peacekeeping began with the inception of the peacekeeping mission in 1948 and extended through the Cold War era.[41] Missions throughout this era focused on instances of interstate conflict, and peacekeepers were expected to contain and stabilize fighting on the ground while political outcomes were decided by UN diplomatic mediation.[42] Peacekeepers during this time carried little or no weapons and could not engage in any acts of force except in cases of self-defense.[43][44] For instance, the United Nations Military Observer Group in India and Pakistan (UNMOGIP) were stationed on the India-Pakistan border to help enforce a ceasefire between the two states in 1948.[45] The mission was established by UNSC Resolution 39 (S/654), sending a "Commission" comprised of three United Nations Member States.[46][47] India and Pakistan each chose one Member State of their liking to participate in the mission, and the UNSC chose the other.[48] This is a great example of the UNSC gaining consent of the Member States party to the peacekeeping mission before moving forward. UNMOGIP still carries out its mission of securing the India-Pakistan border and minimizing or stabilizing and conflict that arises between the two states.[49]

The second generation of peacekeeping occurred during the 1990s, and included a dual mission of peacekeeping and peacebuilding. Missions still targeted interstate conflict, but increasingly they focused on intrastate conflict and humanitarian crises.[50] Peacekeepers in this era were allowed to use weapons and could engage when granted special permission by the UNSC.[51] During this generation, the UNPKO expanded its traditional role of containing,

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[37] *Principles and Guidelines.* United Nations Department of Peacekeeping Operations. New York: United Nations. 2010.
    http://pbpu.unlb.org/pbps/Library/Capstone_Doctrine_ENG.pdf
[38] Ibid.
[39] Ibid.
[40] Ibid, p. 16.
[41] Margaret P. Karns and Karen A. Mingst. "Chapter 8." *International Organizations: The politics and processes of global governance*. Lynne Rienner Publishers 2004, pp. 306-326.
[42] Ibid.
[43] Ibid.
[44] "Peacekeeping Home." United Nations Peacekeeping Operations. February 28, 2010. http://www.un.org/en/peacekeeping
[45] "UNMOGIP Background." United Nations Peacekeeping Operations.
    http://www.un.org/en/peacekeeping/missions/unmogip/background.shtml
[46]Ibid.
[47] S/654. *Resolution Submitted by the Representative of Belgium, Adopted by the Security Council at its 230th Meeting.* January 20, 1948. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/NL4/806/54/PDF/NL480654.pdf?OpenElement
[48] Ibid.
[49] "UNMOGIP Background." United Nations Peacekeeping Operations.
    http://www.un.org/en/peacekeeping/missions/unmogip/background.shtml
[50] Ibid.
[51] Ibid.

stabilizing, and maintaining peace in conflict-ridden regions—actions associated with peacekeeping missions—to include a new strategy meant to prevent conflict.[52] This strategy, known as peacebuilding, goes beyond the peacekeeping mission to include preventing future conflict in these regions.[53] Peacebuilders seek to prevent future conflict by promoting new political institutions, restructuring existing institutions, and creating UN-monitored talks between warring factions.[54] Peacebuilding is now one of the primary goals of the UNPKO.[55]

It was during this era of peacekeeping that the international community witnessed the tragedy of the Rwandan genocide, an instance in which the UNPKO could have risen to protect the thousands of men, women, and children who lost their lives to brutal ethnic cleansing. With the 1993 losses at the Battle of Mogadishu from the United Nations Operations in Somalia II (UNOSOM II) fresh on the minds of the international community, the 1994 Rwandan conflict was approached with extreme caution by the United Nations Secretariat and by Member States serving on the UNSC at the time.[56] The Rwandan conflict was based primarily on the struggle between two key groups, the Hutu and the Tutsi.[57] Hutus claimed that Rwanda was rightfully theirs and that their country was taken over by the foreign Tutsi.[58] Hutu felt that the 1959 Hutu revolution brought them back to their rightful place of power.[59] Tutsi claimed that no difference truly existed between the groups but colonizers arbitrarily separated people into distinct ethnic groupings.[60] The Tutsi felt that they were in turn 'unfairly' oppressed by Hutu.[61] Conventional history suggests that, despite Tutsi migration into Rwanda in the 16th century, the Twa—not the Hutu—were the longest standing group to inhabit the Rwandan territory.[62] In fact, prior to British colonization the tribes got along fairly well.[63] However, power struggles between the two groups continued into the 20th Century.

Given the history of conflict between the two groups, the on-going military struggle of the Tutsi rebel Rwandan Patriotic Army (RPA), and the lack of political cooperation on the part of Rwandan politicians in the capital, UNAMIR commanders and UN officials on the ground were aware of the heightened level of tension on the ground.[64] Unfortunately, those on the ground seem to have been the only groups aware of the "tiny state in a region of little strategic value."[65] "On April 6, 1994, as [Rwandan President] Habyarimana appeared to be acquiescing to international pressure to implement the [peace] accords, his plane was mysteriously shot down. The genocide plan was put in motion."[66] At the onset of violence, UNAMIR forces numbered 2,500 and "their presence was subject tot the consent of the Rwandan government. Rules of engagement were somewhat ambiguous but were generally interpreted to bar the use of force except in self-defense or in joint operations with Rwandan national police."[67] After the execution of 10 Belgian peacekeepers on the first day of conflict, international support began slipping.[68] General Dallaire requested, on April 10th, an additional 5,000 UN troops to curb the impending violence.[69] "Instead, Belgium announced on April 14th that it would be withdrawing its UNAMIR battalion, which triggered unease among the other troop-contributors and led the U.N. Security Council a week later to cut troop levels to a skeleton crew of 70."[70]

The failure of the international community in the case of the Rwandan genocide may be traced back to several different factors. Many scholars and government officials of many states claim that a lack of information was a key

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[52] Ibid.

[53] Ibid.

[54] Ibid.

[55] Gareth Evans and Mohamed Sahnoun. "The Responsibility to Protect." *Foreign Affairs*, 81. 2002. pp. 99-110.

[56] Alan J. Kuperman. "Rwanda in Retrospect." *Foreign Affairs*, 79. 2000. pp. 94-118.

[57] Ibid.

[58] Ibid.

[59] Ibid.

[60] Martin Meredith. *The Fate of Africa: From the hopes of freedom to the heart of despair: a history of fifty years of independence.* New York: PublicAffairs. 2005.

[61] Ibid.

[62] Ibid.

[63] Ibid.

[64] Kuperman, Alan J. "Rwanda in Retrospect." *Foreign Affairs*, 79. 2000. pp. 94-118.

[65] Ibid, p. 96.

[66] Ibid.

[67] Ibid, p. 104.

[68] Ibid.

[69] Ibid.

[70] Ibid.

factor in the international reaction to the genocide.[71] Because of the on-going military struggle of the RPA, the conflict was painted as a "two-sided civil war" as opposed to "a one-sided genocide against the Tutsi."[72] UNAMIR commander Roméo Dallaire even initially identified the conflict as "mutual violence" between the ethnic groups.[73] However, when more accurate information became available to UNAMIR troops, the UN Secretariat, and the Member States of the UNSC, little action to curb the killing was done as a result of lacking political will.[74] Although the UNSC reauthorized the UNPKO in Rwanda as UNAMIR II on May 17th, 1994, the UNSC actually reduced the influence of UNAMIR by changing its overarching mission from enforcement of the Rwandan ceasefire to mediation between the two warring factions.[75] Many argue that an increase in troops, especially at the onset would have helped prevent the amazing amount of deaths over the short span of time. It is estimated that, over the course of the genocide, some "500,000 Rwandan Tutsi were killed, more than three-quarters of their population."[76]

Current Situation

As of 28 February 2010, there are 15 ongoing Peacekeeping Operations throughout the world.[77] The 100,211 peacekeeping personnel make up missions located in Afghanistan, the Central African Republic, Chad, Côte d'Ivoire, Cyprus, Haiti, India, Kosovo, Lebanon, Liberia, the Middle East, Pakistan, Sudan, Syria, Timor-Leste, and Western Sahara.[78] Peacekeeping troops are comprised of military personnel from different United Nations Member States.[79] The top five Member States to contribute troops to UNPKO are Bangladesh, Pakistan, India, Nigeria, and Egypt.[80] The on-going work of the men and women within these missions helps promote and maintain peace and security throughout the world in some of its most conflict-ridden areas.

The Security Council is currently on the third generation of peacekeeping, which is typified by the blurred line between peacekeeping and peace enforcement.[81] This generation is largely referred to as the Peacebuilding generation, due to the growing importance of peacebuilding to the UN Peacekeeping Mission.[82] UNPKO no longer necessitate the consent of all parties for operations to begin in a region. As a result, Peacekeepers often use more military force in keeping with the work of the mission. Consequently, missions are much more costly than past missions and require higher levels of military expertise. Modern instances of successful peacekeeping in which conflict has ended include missions in Congo, Cyprus, and Iran.[83] However, the UNPKO faces especially challenging missions at this time as the expanded role of UNPKO becomes more present in mission mandates. This expanded role calls for larger budgets, larger forces, and high grade weaponry in order to maintain peace. The UNSC must consider the importance of reshaping UNPKO mandates and best practices in order to most effectively and responsibly utilize peacekeeping forces.

Actions Taken by the United Nations

In 2005, the United Nations Peacebuilding Commission (PBC) was created through resolutions S/RES/1645 and A/RES/60/180.[84] The PBC works to accomplish three main goals. As mandated by the UNSC, the PBC "bring[s] together all relevant actors to marshal resources and to advise on the proposed integrated strategies for post-conflict

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[71] Ibid.

[72] Ibid, p. 101.

[73] Ibid, p.102.

[74] Ibid, p. 101.

[75] S/914. *Resolution 914 (1994), Adopted by the Security Council at its 3369th Meeting.* January 27, 1994. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/195/62/PDF/N9419562.pdf?OpenElement

[76] Alan J. Kuperman. "Rwanda in Retrospect." *Foreign Affairs*, 79. 2000. pp. 94-118.

[77] "Background Notes." United Nations Peacekeeping Operations. February 28, 2010. http://www.un.org/en/peacekeeping/bnote.htm.

[78] Ibid.

[79] Margaret P. Karns and Karen A. Mingst. "Chapter 8." *International Organizations: The politics and processes of global governance.* Lynne Rienner Publishers 2004, pp. 306-326.

[80] "Ranking of Miliary and Police Contribution to UN Operations." United Nations Peacekeepingg Operations. 31 March 2010. http://www.un.org/en/peacekeeping/contributors/2010/mar10_2.pdf.

[81] Gareth Evans and Mohamed Sahnoun. "The Responsibility to Protect." *Foreign Affairs*, 81. 2002. pp. 99-110.

[82] Ibid.

[83] Ibid.

[84] "Mandate of the Peacebuilding Commission." United Nations Peacebuilding Commission. http://www.un.org/peace/peacebuilding/mandate.shtml

peacebuilding and recover[y]."[85] Additionally, the PBC "help[s] ensure predictable financing for early recovery activities and sustained financial investment over the medium to long-term."[86] The PCB also works to "develop best practices on issues in collaboration with political, security, humanitarian, and development actors."[87] This last point is especially important for the Council to consider. As PBC Members learn from experiences in peacebuilding, the best practices change and may vary from country to country.[88] Although a certain level of state-level context for best practice is necessary in post-conflict situations, without an agreed upon set of best practices Peacebuilders could be left to their own best judgment in many cases.[89] Although the PBC is only an advisory body, The Council should consider the role and scope of this subsidiary body in shaping best practices in post-conflict situations.[90]

In a more recent effort to address the evolving role of UNPKO over time, the United Nations Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) produced "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping" in 2009.[91] This internal document is by no means considered an official UN-sanctioned treatise. However, its recommendations should be considered by Member States as an important guide to potential reform. The non-paper itself deals with "many new, some not so new" dilemmas facing current peacekeeping missions and missions to come.[92] Because the document is written by experienced peacekeeping officers and UN officials, it offers a unique and candid voice from experts in the field. Specifically, the document looks at strengthening the effectiveness of current missions through capacity building and new deployment strategies.[93] The DPKO and DFS emphasize past reforms and offer possibility for new reform in moving forward with the missions of the UNPKO.

Conclusion

Since its inception in 1948, the United Nations Peacekeeping Mission has evolved to account for new demands and to deal with new conflicts. The three broad generations of peacekeeping outline the transition from a traditional "contain and stabilize" method of peacekeeping to a mix of peacekeeping and peacebuilding to the current blurring of peacekeeping and peacebuilding. The UNSC and the international community must learn from peacekeeping tragedies, but must also look to UNPKOs that provide positive examples of peacekeeping and peacebuilding. It is important, in considering this new and evolving era of peacebuilding, to consider the appropriate scope of intervention by UNPKO. Although this issue has been preliminarily addressed by United Nations bodies, there are further considerations to take into account. The international community has the responsibility to protect all citizens of the world. However, the sovereignty of each Member State must be preserved. Working within this framework, it is the duty of the UNSC to strike the appropriate balance between protecting and enforcing, between peacebuilding and state-building.

Committee Directive

In moving forward, it is necessary that the Security Council consider this serious matter because of potentially dangerous implications peacebuilding could have in areas of crisis. Although the UNSC has seen many missions end conflict successfully, having the UNPKO as the main mediator between conflicted groups makes a relapse to conflict likely. Peacebuilding post-conflict can help create incentives for groups to work together. Given the current practices of Peacebuilders, should the Council alter the level of engagement Peacebuilding troops have in shaping a state's domestic policy? It is recommended that delegates of the UNSC consult the "United Nations Peacekeeping Operations: Principles and Guidelines" to give a more thorough overview of current best practices of the UNPKO.[94] Are rules of engagement too limiting or not regulating enough? In reading this document, delegates

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[85] Ibid.
[86] Ibid.
[87] Ibid.
[88] Ibid.
[89] Ibid.
[90] "Questions and Answers." United Nations Peacebuilding Commission. http://www.un.org/peace/peacebuilding/qanda.shtml
[91] "A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping." United Nations Department of Peacekeeping Operations and the Department of Field Support. United Nations. 2009. http://www.un.org/en/peacekeeping/documents/newhorizon.pdf
[92] Ibid.
[93] Ibid.
[94] *Principles and Guidelines.* United Nations Department of Peacekeeping Operations. New York: United Nations. 2010. http://pbpu.unlb.org/pbps/Library/Capstone_Doctrine_ENG.pdf

should consider whether best practices match with real international conditions and if any measures should or should not be changed. UNSC Member States must reconsider the structure of the Peacekeeping mission and update it to reflect its evolved international role.

II. Ethnic Conflict in Sri Lanka

"We will see…that this conflict has not been a continuous or ancient sequence but has resulted from particular and recent action, decisions, and interpretations that have selectively exacerbated certain potential differences between cultural groups while overlooking or even denying other differences or, for that matter, certain levels of similarity."[95] - Jack David Eller

Introduction

In Sri Lanka, ethnic conflict has been a recurrent cause of political unrest and civil violence since Sri Lanka won independence from British colonial rule in 1948.[96] The two main ethnic groups in conflict are the majority Sinhalese population (82 per cent), who largely control the Sri Lankan government, and the minority Tamil (9.4 per cent).[97][98][99] Although no significant genetic differences separate the Sinhalese from the Tamil, the groups differ from each other culturally.[100] For instance, the Sinhalese typically practice the Theravada Buddhist religion and speak Sinhala whereas Tamil generally practice Hinduism and speak Tamil.[101] These cultural differences, a legacy of political imbalance between the groups, and other factors have created an atmosphere of intolerance and distrust in Sri Lanka. In response to Sinhalese policymaking, a rebel group called the Liberation Tigers of Tamil Eelam (LTTE), better known as the Tamil Tigers, formed in 1976 under the leadership of Vellupillai Prabhakaran.[102] Members of the LTTE group primarily sought independence from Sri Lanka and initiated a civil war against the Sri Lankan government in 1983.[103] "The civil war…killed nearly [70,000], and watchdog groups have accused both the LTTE and the Sri Lankan military of human rights violations, including abduction, extortion, and the use of child soldiers."[104]

In 2009, the Tamil Tigers and the Sri Lankan Armed Forces came to a formal ceasefire, thus ending the Sri Lankan Civil War.[105] However, the end of political instability or a relapse into civil war is likely without meaningful efforts by the Sri Lankan government to incorporate members of the LTTE into the political sphere. The Member States of the Security Council must consider their role in stabilizing tensions between the Sri Lankan government and the LTTE to ensure the political stability necessary to meaningfully alleviate ethnic conflict in the country.

History

The ethnic conflict as it exists today is shaped greatly by former British colonial powers.[106] In pre-colonial times, conflict in Sri Lanka focused not on cultural or ethnic differences, but on the political structure of the kingship.[107]

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[95] Jack David Eller. "Sri Lanka: The Politics of History." *From Culture to Ethnicity to Conflict: An Anthropological Perspective on International Ethnic Conflict.* Ann Arbor, MI: University of Michigan Press. 1999, p. 95.

[96] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.

[97] Ibid.

[98] Ibid.

[99] This breakdown is similar to statistics at the time of independence, but the Tamil population has decreased due to casualties of the war, displacement, and immigration.

[100] Ruwan Illeperuma, et al. "Genetic Profile of 11 Autosomal STR Loci Among the Four Major Ethnic Groups in Sri Lanka." *Forensic Science International.* Volume 3, Issue 3, June 2009. pp. e105-e106.

[101] Jack David Eller. "Sri Lanka: The Politics of History." *From Culture to Ethnicity to Conflict: An Anthropological Perspective on International Ethnic Conflict.* Ann Arbor, MI: University of Michigan Press. 1999, p. 95-141.

[102] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.

[103] Jonathan Spencer. *Sri Lanka: History and the Roots of Conflict.* New York: Routledge. 2005.

[104] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.

[105] Ibid.

[106] Ibid.

[107] Jonathan Spencer. *Sri Lanka: History and the Roots of Conflict.* New York: Routledge. 2005.

Colonial conflict among ethnic entities focused primarily on religious differences—"Sinhala Buddhist attacking Sinhala Catholic; Tamil Hindu attacking Tamil Catholic; Buddhist, Catholic or Hindu attacking Muslim; and Muslims attacking all back in return."[108] Although causes of the modern ethnic conflict between Sinhalese and Tamil Sri Lankans cannot be pinned to one specific historical influence, the treatment of the two groups by British colonial powers certainly influences the conflict as it manifested in the middle of the 20th century. British colonizers showed favoritism to the Tamil, the smaller of the two majority ethnic groups, so that colonial powers could more easily regulate the actions of the group.[109] This tactic used in other colonial contexts created general resentment among the majority Sinhalese population.[110] Sri Lanka, then Ceylon, was granted independence from Great Britain in 1948.[111]

A wave of Sinhalese nationalism proved to be another significant driving force behind the ethnic conflict as it exists today. At the time of independence, the Sinhalese majority began reclaiming their natural position of political power due to their majority status.[112] However, the turbulence of the Sinhalese natural power shift was exacerbated by years of built-up resentment of the Tamil's preferential treatment.[113] Political jockeying throughout the 1950s led to increased ethnic tensions between the Sinhalese and Tamil.[114] "The first modern evidence of Tamil-Sinhala conflict, defined in terms of linguistic group, comes from 1956, the year when major national language reforms were introduced."[115] This law changed the sole official language of the country to Sinhala, a clear and purposeful blow against the freedom of the Tamil minority.[116] Tamil opposition and rioting against the new law resulted in over 100 deaths.[117] Other legislative actions like this—the changing of the country's name from Ceylon to Sri Lanka and the naming of Buddhism as the primary religion of Sri Lanka in 1972, for instance—and rioting in response to Sinhalese nationalistic legislation continued to build distrust and anger between the groups.[118] In response to these actions, some Tamil radicalized, forming the LTTE in 1976 under the leadership of Vellupillai Prabhakaran.[119] Prabhakaran united Tamils living in Sri Lanka under the goal of forming a separate, independent state in the northern and eastern parts of the country, traditionally Tamil lands.[120]

The Sri Lankan Civil War

The Sri Lankan Civil War spans 26 years, making it one of the longest and bloodiest modern Asian civil wars.[121] Violence began in 1983 with a LTTE ambush of Sri Lankan Armed Forces resulting in the death of 13 Sri Lankan Armed Forces soldiers.[122] This instance marks the beginning of the first Eelam war, as denoted by the LTTE.[123] Concerted efforts of the LTTE to overthrow Sri Lankan government forces coupled with defensive and offensive attacks on the part of the Sri Lankan Armed Forces resulted in failed 1985 peace talks between the two parties.[124] With fighting largely contained to the northern city of Jaffna, the Sri Lankan government called upon Indian Peacekeeping troops to help quell the violence.[125] The Indo-Lankan Peace Accord in July of 1987 signified the end of first Eelam war.[126] At the time, Indian peacekeepers came into Sri Lanka to help quell fighting in the north and

[108] Ibid, p. 5.
[109] Jonathan Spencer. *Sri Lanka: History and the Roots of Conflict.* New York: Routledge. 2005.
[110] Martin Meredith. *The Fate of Africa: From the Hopes of Freedom to the Heart of Despair: A history of 50 years of independence.* Cambridge: Public Affairs. 2005.
[111] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.
[112] Ibid.
[113] Ibid.
[114] Ibid.
[115] Jonathan Spencer. *Sri Lanka: History and the Roots of Conflict.* New York: Routledge. 2005.
[116] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[117] Ibid.
[118] Ibid.
[119] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.
[120] Ibid.
[121] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[122] Ibid.
[123] Ibid.
[124] Ibid.
[125] Ibid.
[126] Kristian Stokke. "Building the Tamil Eelam State: Emerging State Institutions and Forms of Governance in LTTE-controlled Areas in Sri Lanka." *Third World Quarterly.* Vol. 27, No. 6. pp. 1021-1040.

enforce the peace accord.[127] However, resistance from the LTTE continued and by May of 1989 India had removed its peacekeepers.[128] The second Eelam war lasted from 1990 through 1994.[129] During this time, the LTTE targeted high level government officials and successfully assassinated Indian premier Rajiv Gandhi for his involvement in sending Indian peacekeepers.[130] The LTTE also targeted and assassinated Sri Lankan President Ranasinghe Premadasa in a suicide bombing.[131] Peace talks were opened between the LTTE and Sri Lankan government in 1994 under the guidance of Sri Lankan President Chadrika Kumaratunga but they ultimately failed.[132] The third Eelam war began with the LTTE sinking of a Sri Lankan naval ship.[133] In 2002, the Sri Lankan government and the LTTE agreed to a formal ceasefire with the negotiating help of Norway, ending the Third Eelam War.[134] Although the LTTE pulled out of talks in 2003, the ceasefire held for quite some time due to natural disaster on the island, including the 2004 tsunami, and general quieting of tensions from the capital.[135] However, attacks began escalating again in 2006, with increased suicide bombings on Sri Lankan military bases and personnel.[136]

At this time, the Sri Lankan government began a concerted effort to break apart the LTTE. This was achieved by the Sri Lankan Armed Forces through targeting and killing key leaders within the LTTE hierarchy, and through recapturing LTTE cities like "Kilinochchi, held for ten years by the Tamil Tigers as their administrative headquarters."[137] Fighting during this time was referred to by United Nations spokesperson in Sri Lanka Gordon Weiss as a "bloodbath" in which both the LTTE and the Sri Lankan Armed Forces showed "a wanton disregard for human life."[138] The war came to an end in May of 2009 when the Sri Lankan government overtook the "last patch of rebel-held territory in the northeast" of the country, effectively ending the Tamil *de facto* state.[139] The 2009 conflict ended in large part because of the Sri Lankan government's ability to militarily dismantle the LTTE's leadership.[140]

Current Situation

In 2009, the Sri Lankan government began making some steps toward reconciliation by creating the position of Minister of National Integration and Reconciliation for a former LTTE rebel Karuna Amman.[141] However, reconciliation on the part of the Sri Lankan government has not come fast enough for many Tamil within the country or for many human rights watchdogs outside Sri Lankan borders. Although LTTE members and Tamil populations still exist in Sri Lanka, many are displaced and still face a lack of political representation in the Sri Lankan parliament.[142] The conflict resulted in a great number of internally displaced citizens who were driven from their homes during instances of urban fighting between the government and LTTE.[143] Relocating persons displaced as a result of the civil war is one potential issue that could unite both Tamil political leaders and the Sri Lankan government, as both Tamil and Sinhalese citizens were affected by the fighting. "[Under-Secretary-General B. Lynn] Pascoe said Sri Lanka should take the initiative towards establishing a process that is both credible and

[127] Shantha K. Hennayake. "The Peace Accord and the Tamils in Sri Lanka." *Asian Survey*. April 1989. pp.401-415. http://www.jstor.org/stable/2644884?seq=1
[128] Kristian Stokke. "Building the Tamil Eelam State: Emerging State Institutions and Forms of Governance in LTTE-controlled Areas in Sri Lanka." *Third World Quarterly.* Vol. 27, No. 6. pp. 1021-1040.
[129] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[130] Jonathan Spencer. *Sri Lanka: History and the Roots of Conflict.* New York: Routledge. 2005.
[131] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[132] Ibid.
[133] Ibid.
[134] Ibid.
[135] Ibid.
[136] Ibid.
[137] Ibid.
[138] Mark McDonald and Thomas Fuller. "U.N. Tells of 'Bloodbath' in Sri Lanka." *The New York Times*. May 12, 2009. p. A4. http://www.nytimes.com/2009/05/12/world/asia/12lanka.html?_r=1&scp=1&sq=bloodbath%20sri%20lanka&st=cse
[139] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[140] Jayshree Bajoria. "The Sri Lankan Conflict." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/11407.
[141] "Sri Lanka Timeline." *BBC News*. May 5, 2010. http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1166237.stm
[142] Ed. Jared Kotler. "Politically Speaking: Bulletin of the United Nations Department of Political Affairs." United Nations Department of Political Affairs. Winter 2009-2010. http://www.un.org/depts/dpa/newsletters/DPA%20Bulletin_winter09.pdf
[143] Ibid.

impartial…Sweeping this issue under the rug would undermine the future of Sri Lankan democracy."[144] Without reconciliation, or more immediate attempts at reconciliation, Sri Lanka is at great risk of devolving into violence yet again. The Sri Lankan government has been wary of outside help from the United Nations and vehemently opposes any United Nations probing into allegations of human rights.[145]

Actions Taken by the United Nations

Throughout the course of the Sri Lankan Civil War, the United Nations Security Council has issued many statements decrying the terrorist tactics of the LTTE and voicing concern about the lack of humanitarian support and care being shown to civilians within warring zones.[146] During the 2009 escalation of military offensives on the parts of the Sri Lankan government and LTTE, the United Nations and the UNSC issued statements voicing concern about the inhumane treatment of Sri Lankan civilians and about the lack of proper protocols of war.[147] The UNSC has also continually been informed of the civil strife occurring in Sri Lanka, with the *2008-2009 Security Council: Report to the General Assembly* serving as an example of the level of knowledge and attention given to the situation.[148] The Council has largely used the Secretariat of the United Nations and UN Commissioned humanitarian convoys as the main instruments of affecting change in Sri Lanka throughout the conflict.[149] However, now may be the time for direct intervention and council by Members States of the UNSC.

Conclusion

With such a legacy of violence used as a solution to political problems, moving forward peacefully will prove difficult for the peoples of Sri Lanka. When coupled with the centralist authoritarian political culture of the LTTE, democratic solutions to ethnic tensions must move forward with the help of United Nations third-party negotiators.[150] Cultural differences, such as language and religion, and concerns over geographic autonomy must be addressed in order to move forward. Although the Sri Lankan ethnic conflict and civil war are issues best solved by Sri Lankan reconciliation, the international community has a responsibility to ensure this reconciliation occurs. Sri Lanka, although a relatively small state, is located in an area of the world which in which a weakened political structure could be overcome by outside state or non-state actors. The actions that Member States of the UNSC take in the case of Sri Lanka help set precedent for future involvement in stabilizing post-conflict situations and in reconciling instances of ethnic conflict.

Committee Directive

Delegates should consider the legacy of the Sri Lankan Civil War and its overall effect on potential Tamil and Sinhalese cooperation in the future. Should the Sri Lankan government and still-living members of the LTTE be brought under investigation for human rights violations during the Sri Lankan Civil War? What kinds of political institutions could the UNSC suggest to the Sri Lankan government as a means of moving forward? While delegates should familiarize themselves with the intricacies of the civil war in Sri Lanka, the focus of debate in committee should remain on stabilizing the post-conflict political sphere in order to begin reconciliation between the two groups.

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[144] Ed. Jared Kotler. "Politically Speaking: Bulletin of the United Nations Department of Political Affairs." United Nations Department of Political Affairs. Winter 2009-2010.
http://www.un.org/depts/dpa/newsletters/DPA%20Bulletin_winter09.pdf
[145] Ibid.
[146] "SC/9695: Security Council Press Statement on Sri Lanka." United Nations Department of Public Information.
http://www.un.org/News/Press/docs//2009/sc9659.doc.htm
[147] Ibid.
[148] *Report of the Security Council to the General Assembly (covering the period from 1 August 2008 to 31 July 2009).* The United Nations Security Council. http://www.un.org/News/Press/docs//2009/sc9659.doc.htm
[149] Ibid.
[150] Kristian Stokke. "Building the Tamil Eelam State: Emerging State Institutions and Forms of Governance in LTTE-controlled Areas in Sri Lanka." *Third World Quarterly.* Vol. 27, No. 6. pp. 1021-1040.

Topic III: Examining the Impact of Security Council Sanctions

"Sanctions are a powerful expression of the collective voice and the collective will of the international community. As such, their symbolic impact is undeniable…Sanctions, imposed in a manner that signal the unity of purpose and determination of the international community, can achieve results without the use of force."[151]

—Foreign Minister of Greece, Dora Bakoyannis

"There is ample evidence that sanctions have enormous potential to contribute to the maintenance of international peace and security when used not as an end in themselves, but in support of a holistic conflict resolution approach that includes prevention, mediation, peacekeeping, and peacebuilding."[152]

—Secretary-General, Ban Ki-Moon

Introduction

The UNSC engages in many acts of sanctioning in order to bring about a desired change in policy of a Member State, non-state actor, or individuals within a group. Sanctioning actions pose a significant potential threat, not only to the economic stability of a regime, but also to the well-being of the citizens within the sanctioned-against country. Sanctions are best defined as "economic or financial restrictions placed by one country (imposer/sender) on another (target) to affect change in the target state's policies." [153] This definition, although clear, gives a non-inclusive scope of the parties involved, and represents an overly simplistic view of what constitutes a sanction. First, sanctions approved by the UNSC are multilaterally agreed upon measures, as opposed to the unilateral action of one Member State against another.[154] This means that, in order for sanctions to be put in place, all Member States of the UNSC must agree to the provisions of the sanctions.[155] Targets of sanctions may be other Member States, non-state actors, or individuals within a country whose current actions threaten international security.[156] Second, although sanctions are "economic or financial restrictions" used to "affect change in the target state's policies," they do not always take the form of an embargo on a specific good or goods.[157] Sanctions commonly used by the UNSC include targeted sanctions—arms embargoes, commodity sanctions, and financial asset freezes on regimes or individuals—which have a more directed effect on a small portion of people, and comprehensive sanctions which are directed at the whole economy or financial sector of a country or group. [158]

Sanctions can be levied for many reasons, but are typically used as a means to punish Member States who cheat on international agreements, as a deterrent to potential violence or policy decisions in a Member State, or as an alternative to non-compliance in a negotiating situation.[159] To be effective, sanctions must have some consequences for the Member State(s) issuing the sanctions,—meaning that the issuing Member States may face some economic cost as a result of the sanction—otherwise the sanctions or threat of sanctions does not appear credible to the target state.[160] However, sanctions are a much less costly alternative for Member States who wish to punish noncompliant states, as the next most severe option involves military action.[161] "Security Council sanctions can be placed in two broad categories: those related to regional and national security issues and the prevention of armed conflict, and

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[151] S/2007/734. "Annex to the letter dated 12 December 2007 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council: Enhancing the Implementation of United Nations Security Council Sanctions." New York: United Nations Security Council. April 30, 2007.

[152] Ibid.

[153] Bruce Buena de Mesquita. *Principles of International Politics: 4th Edition*. Washington, D.C.: CQ Press. 2010.

[154] S/2007/734. "Annex to the letter dated 12 December 2007 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council: Enhancing the Implementation of United Nations Security Council Sanctions." New York: United Nations Security Council. April 30, 2007.

[155] "Security Council Sanctions Committees: An Overview." United Nations Security Council. http://www.un.org/sc/committees/

[156] Ibid.

[157] Bruce Buena de Mesquita. *Principles of International Politics: 4th Edition*. Washington, D.C.: CQ Press. 2010.

[158] Robert McMahon. "UN Sanctions: A Mixed Record." *Backgrounders.* The Council on Foreign Relations. www.cfr.org/publication/12045/un_sanctions.html.

[159] Buena de Mesquita. *Principles of International Politics: 4th Edition*. Washington, D.C.: CQ Press. 2010.

[160] Ibid.

[161] Ibid.

those that are connected to global issues of countering terrorism and preventing the proliferation of weapons of mass destruction."[162] So, if a signatory Member State is non-compliant in its storage of nuclear warheads under the protocols set forth by the International Atomic Energy Agency (IAEA), the UNSC may choose to bring comprehensive sanctions against this country by blocking all trade with the state until their policies change. The UNSC may also disprove of military actions of a certain Member State and could issue an arms embargo sanction to try and curb the state's military presence. Whether these sanctions are effective or not depends on the evaluative criteria used to define "effectiveness." There are several different definitions of what constitutes an effective sanctions regime. Most commonly, sanctions are considered effective when the targeted Member States changes its policy or actions to comply with the wishes of the issuing state. However, there may be other variables at play which have a greater impact on a policy change, such as international political pressure from allied Member States.[163] Expert panels within the Security Council have found the following:

> "The effectiveness of sanctions should be measured not by whether targets comply immediately and completely with Security Council demands but by the impacts that occur in almost every case and that generate pressure for policy change. If effectiveness is defined as the creation of impacts that lead to at least partial compliance, Security Council sanctions have achieved results in at least one-third to one-half of all cases, depending on how generously one defines partial compliance."[164]

In the latter half of the 20th Century, many scholars and politicians raised concern over the effectiveness of sanctions, and whether they had uneven repercussions for the government and citizens of targeted states.[165] Many argued that economic sanctions rarely adversely affected governments, especially authoritarian regimes, and instead devastated those of poor socioeconomic stature within the targeted country.[166] As the Council engages in sanctioning activities to pursue policy goals, to signal intent to rogue states, or to deter violence, it is important that Member States review the impact of sanctions and whether they are successful as they are currently implemented.

History

The Council derives its right to sanction from the United Nations Charter, Chapter VII.[167] Although sanctioning is not mentioned explicitly, Article 39 states that the UNSC "shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken…to maintain or restore international peace and security."[168] This, along with other articles under Chapter VII, implies that sanctions used with the intent to maintain or restore international peace and security is acceptable. From the end of World War II (WWII) to 2000, the Security Council issued 204 economic sanctions.[169] The majority of these sanctions, especially those issued before the 1990s, were comprehensive in nature.[170] Comprehensive sanctions are thought of as "blunt" measures, often broad in their implementation. Instead of targeting a corrupt head of state's bank account who is embezzling development aid, for instance, a comprehensive measure may place economic freeze on all capital leaving the targeted country.

The main concerns about sanctioning, especially about comprehensive sanctions, lie in the effect on those who have little or no part in the policy-making process.[171] With poor monitoring and assistance, "neighbouring countries that

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[162] S/2007/734. "Annex to the letter dated 12 December 2007 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council: Enhancing the Implementation of United Nations Security Council Sanctions." New York: United Nations Security Council. April 30, 2007.

[163] David Baldwin. "The Sanctions Debate and the Logic of Choice." *International Security.* Vol. 24, Issue 3. pp. 80-107.

[164] Ibid.

[165] David Baldwin. "The Sanctions Debate and the Logic of Choice." *International Security.* Vol. 24, Issue 3. pp. 80-107.

[166] Ibid.

[167] *Charter of the United Nations*. The United Nations. June 26, 1945.

[168] Ibid.

[169] David Baldwin. "The Sanctions Debate and the Logic of Choice." *International Security.* Vol. 24, Issue 3. pp. 80-107.

[170] S/2007/734. "Annex to the letter dated 12 December 2007 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council: Enhancing the Implementation of United Nations Security Council Sanctions." New York: United Nations Security Council. April 30, 2007.

[171] Kofi Annan. "Chapter 3." *We the Peoples: The Role of the United Nations in the 20th Century.* United Nations Department of Information: New York. 2000. http://www.un.org/millennium/sg/report/ch3.htm.

bear much of the loss from ensuring compliance have not been helped by the rest of the international community."[172] "When robust and comprehensive economic sanctions are directed against authoritarian regimes…it is usually the people who suffer, not the political elites whose behaviour triggered the sanctions in the first place." Indeed, those in power, perversely, often benefit from such sanctions by their ability to control and profit from black market activity, and by exploiting them as a pretext for eliminating domestic sources of political opposition."[173]

The results of comprehensive sanctioning vary over different cases. Security Council sanctioning has successfully influenced policy reform in many instances, such as with the former Yugoslavia, Libya, and Liberia. In these cases, sanctions were used successfully because they were "eventually paired with larger multilateral efforts like European Union aid or peacekeeping."[174] However, Security Council sanctions do not always bring about desired reform. Generally, poor international cooperation, lack of political will in implementation, and corruption are all issues which have undermined the effectiveness of sanctions on the international stage.[175]

The now infamous 1996 Oil-for-Food Programme in Iraq was one of the first modern attempts to curb the negative humanitarian effects of sanctions on the citizens of the targeted country.[176] "Tough UN sanctions against Iraq triggered severe humanitarian problems in the early 1990s, leading to the creation of the Oil-for-Food Programme."[177] The Secretary-General Kofi Annan supported this programme, saying in his 1997 Annual Report to the General Assembly that he supported "consideration by the General Assembly and the Security Council of possible ways to render sanctions a less blunt and more effective instrument."[178] Although the implementation of the Oil-for-Food Programme were eventually shown to be corrupt and ineffective, the general sentiment therein and the support for "smart sanctions" garnered by Secretary-General Annan led to the overall rethinking of sanctions on the part of the Council.[179]

Current Situation

Since 1990, the Council has moved away from so-called comprehensive sanctions which overall had more negative effects for the citizens of the targeted country than they had for the targeted regime.[180] The UNSC has begun moving forward in considering best practices to improve sanctions through increased attention and support for targeted or "smart" sanctions regimes.[181] These smart sanctions are meant to mitigate the adverse humanitarian effects of sanctions on the citizens of targeted countries and the unwanted economic burden facing neighboring states of targeted countries.

Currently, the Council oversees 11 sanctions against various Member States, including one non-state actor.[182] The sanctioned against states and actors are Somalia and Eritrea, Sierra Leone, Al Qaida and the Taliban, Iraq, Liberia, The Democratic Republic of the Congo, Côte d'Ivoire, Sudan (Darfur), Lebanon, the Democratic People's Republic of Korea (DPRK/North Korea), and Iran.[183] Each sanctions group is governed by a resolution or set of resolutions

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[172] Ibid.

[173] Ibid.

[174] Robert McMahon. "UN Sanctions: A Mixed Record." *Backgrounders.* The Council on Foreign Relations.
www.cfr.org/publication/12045/un_sanctions.html.

[175] Ibid.

[176] A/52/1. "Annual Report of the Secretary-General on the Work of the Organization, 1997."
http://www.un.org/Docs/SG/Report97/97rep2.htm.

[177] Robert McMahon. "UN Sanctions: A Mixed Record." *Backgrounders.* The Council on Foreign Relations.
www.cfr.org/publication/12045/un_sanctions.html.

[178] Ibid.

[179] A/53/1. "Annual Report of the Secretary-General on the Work of the Organization, 1998."
http://www.un.org/Docs/SG/Report98/ch1.htm.

[180] S/2007/734. "Annex to the letter dated 12 December 2007 from the Permanent Representative of Greece to the United Nations addressed to the President of the Security Council: Enhancing the Implementation of United Nations Security Council Sanctions." New York: United Nations Security Council. April 30, 2007.

[181] S/2005/841. "Security Council Informal Working Group on General Issues on Sanctions."
http://www.un.org/Docs/sc/committees/sanctions/index.html.

[182] "Update Report No. 1: Security Council Subsidiary Bodies, 2 February 2010." Security Council Report.
http://www.securitycouncilreport.org/site/c.glKWLeMTIsG/b.5772119/k.B5A4/Update_Report_No_1brSecurity_Council_Subsidiary_Bodiesbr2_February_2010.htm.

[183] "Security Council Sanctions Committees: An Overview." United Nations Security Council.
http://www.un.org/sc/committees/

which state the reasons for sanctioning actions.[184] These resolutions also provide the terms of the sanctions, meaning the penalties being imposed upon the target state, group, or individual.[185] Each sanction or group of sanctions has a dedicated sanctions committee which works to oversee the implementation of sanctions, and assesses the target country's progress toward the desired policy goal or reform.[186] The 11 current sanctions committees serve similar purposes, but have slightly different committee guidelines.[187] This differentiation is essential to tailoring monitoring and implementation activities so that sanctions may be as effective as possible.[188] Two high profile sanctions regimes imposed by the Council are those in the DPRK and Iran.[189]

The sanctions regimes against the DPRK and Iran are the most recently implemented sanctions, put in place in 2006.[190][191] The Security Council brought sanctions against DPRK first, after the North Korean government began aggressively pursuing atomic weapons capabilities.[192] When coupled with DPRK-induced tensions in the region and humanitarian concerns, the nuclear test performed by the North Korean government on 9 October 2006 represented a clear international security crisis in the eyes of Council Members.[193] Resolution 1718 (S/Res/1718 (2006)) was passed on 14 October 2006, and sought to condemn the actions of the North Korean government by putting in place an arms embargo and embargo on luxury goods.[194] In 2009, the Council created a panel of experts with S/Res/1874 which is meant to observe and recommend more effective implementation of the UNSC sanctions against the DPRK.[195] To this point, sanctions have little altered the actions of the government of North Korea. North Korea continues the testing of nuclear weapons technologies and actively seeks to grow its nuclear program.

Like the DPRK, Iran was brought under sanctions as a result of their noncompliance with the Non-Nuclear Proliferation Treaty (NPT Treaty), in addition to numerous other international security concerns.[196] Iranian sanctions are based on the language of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010).[197] The sanctions implemented against the Iranian government include "a proliferation-sensitive nuclear and ballistic missile programmes-related embargo," a ban on the export or import of arms of certain related materials to or from Iran, and travel bans and asset freezes on certain individuals and entities related to the security crisis.[198] The committee overseeing Iranian sanctions must report their work and assessment of implementation to the UNSC every 90 days, as the Iranian situation presents a more urgent security issue due to its geographic location.[199] Tensions have risen between Iran and the international community due to their insistence on continuing uranium enrichment and their pursuit of nuclear technologies.[200]

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[184] Ibid.
[185] Ibid.
[186] Ibid.
[187] Ibid.
[188] Ibid.
[189] Ibid.
[190] "Security Council Committee established pursuant to resolution 1718 (2006)." Security Council Sanctions Committees. http://www.un.org/sc/committees/1718/index.shtml.
[191] "Security Council Committee established pursuant to resolution 1737 (2006)." Security Council Sanctions Committees. http://www.un.org/sc/committees/1737/index.shtml.
[192] S/Res/1718. "Resolution 1718 (2006)." United Nations Security Council. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/572/07/PDF/N0657207.pdf?OpenElement.
[193] Ibid.
[194] Ibid.
[195] S/Res/1874. "Resolution 1874 (2009)." http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/368/49/PDF/N0936849.pdf?OpenElement.
[196] "Security Council Committee established pursuant to resolution 1737 (2006)." Security Council Sanctions Committees. http://www.un.org/sc/committees/1737/index.shtml.
[197] Ibid.
[198] Ibid.
[199] "Security Council Committee established Pursuant to Resolution 1718 (2006): Guidelines fo the committee for the conduct of its work." United Nations Sanctions Commissions.
[200] Stephen Castle. "E.U. Signals New Sanctions Against Iran Over its Nuclear Program." *The New York Times*. June 14, 2010. http://www.nytimes.com/2010/06/15/world/europe/15iht-sanctions.html?scp=9&sq=iran%20sanctions&st=cse.

Actions Taken by the United Nations

In response to the changing implementation of sanctions on the global stage, the Council formed the Security Council Informal Working Group on General Issues on Sanctions.[201] In 2005, the working group was tasked with "develop[ing] general recommendations on how to improve the effectiveness of United Nations sanctions."[202] The working group was also to consider 8 sub-issues deemed important to the reform of the sanctioning system, including building capacity among sanction monitoring bodies and experts; consideration of the duration and lifting of sanctions; "assess[ing]…the unintended impact of sanctions and ways to assist affected untargeted States;" "improving national implementation of sanctions;" "enforcement of targeted sanctions;" listing and delisting best practices of targeted individuals or groups; "secondary sanctions against States violating sanctions;" and "improving [administrative] archives and databases."[203] The working group presented its "Report on Recommendations and Best Practices on How to Improve Sanctions" in 2006.[204] This report, along with the annual reports of the sanctioning committees, provides some of the most thorough analysis of which best practices work, and which should be reformed.

Conclusion

UNSC Member States are charged to maintain the peace and security of the international community. Because of their hypothetical high signaling cost and low humanitarian cost, sanctions are one of the most important tools Council Members can use to limit or change endangering behavior of states.[205] Disagreement exists among scholars and experts about proper implementation of sanctions and their overall effectiveness. Some see sanctions as a somewhat empty, yet important policy tool used to voice displeasure on the international stage. Others believe sanctions should be used to punish noncompliance, even at the risk or damage of citizens within the targeted state. "[T]here is still no agreement that they [sanctions] actually can shape behavior," as many scholars point to successful cases being the result of multi-effort international pressure, with sanctions only serving as a bargaining chip.[206] With this in mind, Member States of the UNSC should look to past and present examples of sanctioning to decide the true impact of UNSC sanctions. The Council must consider the current state of UN sanctioning practice, as well as the potential for reform, in order to adapt to a world facing new security challenges.

Committee Directive

Delegates will benefit from understanding the monitoring processes involved in sanctioning, and should look to the committee guidelines found under the separate sanctions homepages for guidance.[207] The delegates of the UNSC should also familiarize themselves with the documents found at the following footnote.[208] The 2006 recommendations by the Informal Working Group on General Issues on Sanctions provide a good basis for reforming the Council and United Nations' system of sanctioning. However, is the recent shift from comprehensive measures to targeted or "smart" sanctions adequate in terms of curbing the humanitarian effects of sanctions on the general public of target states? Do these reforms and new best practices make sanctioning a more effective tool than it was in the past? Before coming to the conference, delegates should consider the best definition of "effective" in the opinion of their Member State. By considering this definition, delegates will have a better idea of the types and severity of sanctions your state would logically agree to. Additionally, delegates will have a better idea of potential reforms to the sanctioning protocol which could potentially make sanctions more effective in the eyes of each Member State.

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[201] S/2005/841. "Security Council Informal Working Group on General Issues on Sanctions." http://www.un.org/Docs/sc/committees/sanctions/index.html.

[202] Ibid.

[203] Ibid.

[204] Ibid.

[205] Ibid.

[206] Ibid.

[207] "Security Council Sanctions Committees: An Overview." United Nations Security Council. http://www.un.org/sc/committees/ (related links are in the left-hand column)

[208] "Security Council Resolutions on General Issues Concerning Sanctions." United Nations Security Council Sanctions Committees. http://www.un.org/sc/committees/sanc_res.shtml.

Topic IV: Review of Space Arms Control

Introduction

Space exploration was one of the few positive outcomes of the Second World War. Germany was the first state to reach the boundary of space with its V2 rocket program in October of 1942 in an effort to improve its military rocket program.[209][210] After the end of the Second World War, the Cold War between the United States and Union of Soviet Socialist Republics (USSR) soon followed, furthering the interest in exploring the cosmos.[211] The first entry of space happened on October 4th, 1957, when a small round object named Sputnik 1, ignited the Space Race between the United States and the USSR.[212][213] Sputnik 1 signaled to the world that man could reach into space. In January of 1958, the United States launched its first satellite, Explorer I.[214] Space exploration, however, was not to be limited to only these states as Canada, Japan, and India would all play a part in space exploration. [215][216][217]   Well over 40 other states are now operating or planning space programs.[218][219][220] As more Member States became involved in space exploration and the ongoing Space Race, the United Nations created the ad hoc Committee on the Peaceful Uses of Outer Space (COPUOS) via General Assembly resolution in 1959.[221][222] COPUOS produced several governing documents still used today which cover a number of topics, such as the issue of Member States arming themselves in space, naming conventions for celestial bodies, and the recovery of astronauts and equipment.[223]

The United Nations Security Council has a variety of tools such as economic sanctions to use in regards to controlling space militarization through arms control along with the danger that it poses to Member States.[224] Other committees, such as the Conference on Disarmament and COPUOS, have not been able to accomplish a comprehensive treaty in nearly 30 years worth of negotiations.[225][226] It is the duty of the Member States of the UNSC to consider this important matter of international security.

History of Space Militarization

One of the earliest known ideas for a space based weapon was created by Hermann Oberth, in his treatise entitled "Ways to Spaceflight" published in 1923.[227] His idea involved attaching a mirror to an orbiting space hub that would be able to reflect the sun's energies onto a concentrated point, destroying the target.[228] This was considered

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[209] "50 years of the Space Age". Smithsonian Air and Space Museum. http://www.nasm.si.edu/events/spaceage/vengeance.htm

[210] "V-2." Astronautix. http://www.astronautix.com/lvs/v2.htm

[211] Rita G. Koman   "Man on the Moon: The US Space Program as a Cold War Maneuver". OAH Magazine of History. Winter 1994. http://www.oah.org/pubs/magazine/coldwar/koman.html

[212] "Sputnik 1 – Milestones of Flight." Smithsonian National Air and Space Museum. http://www.nasm.si.edu/exhibitions/GAL100/sputnik.html

[213] Alexei Kojevnikov. "The little ball made science bigger." *Nature*. 4 October 2007.

[214] "Explorer Information"   NASA   http://history.nasa.gov/sputnik/expinfo.html

[215] "CSA – Organization". Canadian Space Agency http://www.asc-csa.gc.ca/eng/about/csa_organization.asp

[216] "About ASI" Agenzia Spaziale Italiana http://www.asi.it/en/agency/about

[217] "Welcome to ISRO – About IRSO". Indian Space Research Organization. http://www.isro.org/scripts/Aboutus.aspx

[218] "CSA – Organization". Canadian Space Agency http://www.asc-csa.gc.ca/eng/about/csa_organization.asp

[219] "About ASI" Agenzia Spaziale Italiana http://www.asi.it/en/agency/about

[220] "Welcome to ISRO – About IRSO". Indian Space Research Organization. http://www.isro.org/scripts/Aboutus.aspx

[221] 'United Nations Committee on Peaceful Uses of Outer Space". United Nations Office of Outer Space Affairs. http://www.unoosa.org/oosa/en/COPUOS/copuos.html

[222] A/RES/1472 *International Co-Operation in the Peaceful Uses of Outer Space.* United Nations General Assembly. *12 December 1959.* http://www.unoosa.org/oosa/SpaceLaw/gares/html/gares_14_1472.html

[223] "United Nations Treaties and Principles on Space Law." United Nations Office of Outer Space Affairs. http://www.unoosa.org/oosa/en/SpaceLaw/treaties.html

[224] United Nations Charter   Article 7   http://www.un.org/en/documents/charter/chapter7.shtml

[225] "Prevention of an Arms Race in Outer Space." Ministry of Foreign Affairs of the People's Republic of China. http://www.mfa.gov.cn/eng/wjb/zzjg/jks/kjlc/wkdd/t410757.htm

[226] http://www.oosa.unvienna.org/pdf/gares/ARES_39_59E.pdf

[227] Michael J Neufeld. "Wernher von Braun's ultimate weapon." *Bulletin of Atomic Scientists*. July/August 2007. pp. 50-57.

[228] Ibid.

an expansion of the Archimedes "Burning Glass" story.[229] This idea was later elaborated on in another book entitled "The Problem of Space Travel: The Rocket Motor" by Hermann Potonik , published six years later.[230] Wernher von Braun was a leading German engineer that shared some of the thoughts that "a floating space station based weapon" would be suitable for domination over the Earth.[231]   He would go on to join the Nazi regime in 1940 and begin creating new engines and means to explore spacing, one of his creations being the V-2 Rocket.[232][233] This concept of space station domination by harnessing the power of the sun on a floating space station would later be adopted by his fellow Nazi scientists and was entitled the "Sun Gun".[234] This idea was unable to come to fruition due to the large cost, time, lack of technology, and the invasion of Allied forces looking to capture various members of the Axis scientific community through Operation Paperclip.[235][236] The allied forces in 1945 were successful in negotiating the surrender of Braun and 120 of his associates that had fled from Germany into Austria for fear of their own lives.[237] These scientists where then offered amnesty for their continued research into aeronautical weaponry inside the United States.[238] While the "Sun Gun" was never created, the scientists had speculated that if left undisturbed that the weapon could be in orbit by the end of the century.[239]

German scientists were unable to come up with any physical prototype space armaments past the concept stage. However, the USSR was able to create one of the earliest orbital weapons nearly 30 years later called the fractional orbit bombardment system (FOBS).[240] FOBS was a low Earth orbit missile that, once in orbit, could be triggered to drop its payload onto a target.[241] This weapon system was developed after the failed attempt by the USSR to place missiles on the island of Cuba created the need for new methods to deploy weapons across the globe.[242] Testing of the rocket started in August of 1965 and lasted until late 1968, where the missile was accepted into service after passing testing.[243] While FOBS was never operated outside of the trial phase with nuclear warheads, the weapon was later decommissioned in 1979 when the 2nd Strategic Arms Limitation Talks occurred between the United States and the USSR, also leading to an agreement between the States on the banning of Weapons of Mass Destructions in space.[244] The Soviet Union latter attempted to launch another weapons platform called the Polyrus in 1987 that spent several years in under developmental secrecy.[245][246] The orbital platform never made it into orbit around the Earth, instead crashing into the ocean where it still rests to this day.[247]

Actions of the United Nations

With the creation of COPUOS in 1959 by resolution 1472, the United Nations General Assembly showed a commitment to peaceful space use for all Member States.[248] The General Assembly went on to create the "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space" in 1963, which established the core principles for Member States to abide by while exploring space. International peace and security comprises a portion of the fourth declaration that reads: "exploration and use of outer space shall

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[229] "Science: Archimedes Weapon." *Time.* 26 November 1973
http://www.time.com/time/magazine/article/0,9171,908175,00.html
[230] Michael J Neufield. "Wernher von Braun's ultimate weapon." *Bulletin of Atomic Scientists*. July/August 2007. pp. 50-57.
[231] Ibid.
[232] "Wernher von Braun's Pact with the Devil". *World War II.*   December 2007.
[233] Ibid.
[234] "Science: Sun Gun." *Time.* 9 July 1945   http://www.time.com/time/magazine/article/0,9171,852344-1,00.html
[235] Linda Hunt. U.S. Coverup of Nazi Scientists. Bulletien of Atomic Scientists   April 1985
[236] "Science: Sun Gun." *Time.* 9 July 1945   http://www.time.com/time/magazine/article/0,9171,852344-1,00.html
[237] Von Braun capture 44th Infantry Division   http://www.efour4ever.com/44thdivision/vonbrauncapture.html
[238] Linda Hunt. U.S. Coverup of Nazi Scientists. Bulletien of Atomic Scientists   April 1985
[239] Ibid.
[240] "R-360 SSL-X FOBS." Global Security.   http://www.globalsecurity.org/wmd/world/russia/r-36o.htm
[241] "R-36 Rockets" Russian Space Web.   http://www.russianspaceweb.com/r36.html
[242] Ibid.
[243] "OGCh." Astronautix.   http://www.astronautix.com/craft/ogch.htm
[244] "Salt II Treaty." Federation of American Scientists.   http://www.fas.org/nuke/control/salt2/text/salt2-2.htm
[245] "Polyrus." Astronautix.   http://www.astronautix.com/craft/polyus.htm
[246]"Day, Dwayne and Kennedy, Robert. "Soviet Star Wars."   http://www.airspacemag.com/space-exploration/Soviet-Star-Wars.html?c=y&page=1
[247] Ibid.
[248] A/RES/1472 *International Co-Operation in the Peaceful Uses of Outer Space.* United Nations General Assembly. *12 December 1959.* http://www.unoosa.org/oosa/SpaceLaw/gares/html/gares_14_1472.html

be carried on in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding."[249] This key resolution from the General Assembly would lead to the creation of a set of documents that form the basis of space law were passed over a span of twenty years.[250] Three of the five documents have a direct impact on international peace and security in different forms. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies or the Outer Space treaty was the first document to ensure peace in outer space that was finished in 1966.[251] The Outer Space treaty strictly forbade "placement of nuclear weapons or other weapons of mass destruction in orbit or on celestial bodies or station them in outer space in any other manner".[252] This has been problematic for some states to accept, since the term weapon of mass destruction only generally entails the use of nuclear, chemical, and biological weapons. The Convention on Registration of Objects Launched into Outer Space of 1975 was created to record all devices and machines put into orbit by the signature parties.[253] The Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (the Moon Agreement) was open for signatures in 1979 and dictated the peaceful use and exploration of celestial bodies.[254]

Space arms and militarization issues, within the auspices of the United Nations, currently are at a standstill in various committees within the UN, such as the Conference on Disarmament. States such as the People's Republic of China and the Russian Federation have pushed working papers advocating for a total ban on weaponizing space, but have been able to pass the document for over five years due to the terminology, definitions, and enforceability options in the document.[255][256][257][258] Another notable document unable to pass through committee is PAROS, the Prevention of an Arms Race in Outer Space, which sees a review yearly within the General Assembly.[259] Despite the work by various committees to prevent a space arms race, questionable actions by Member States continue to drive talks on space.

Current Situation

Several states already participate in the militarization of space, primarily by the use of spy satellites.[260][261] These types of satellites allow for imaging of sites on Earth by states to see strategically important structures in case of conflict. It was through the use of satellite imagery and other intelligence that the United States, represented by Colin Powell, came before the Security Council in 2003 to present evidence showing the failure of the Iraqi government to disarm.[262] Satellites continue to play a part in the ongoing Iraq and Afghanistan wars to guide and direct troops. While spy satellites are not generally classified as space weapons, they serve as the initial link of a state militarizing space.

[249] A/RES/1962 *Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space United Nations General Assembly.* 13 December 1963. http://www.unoosa.org/oosa/en/SpaceLaw/lpos.html

[250] "United Nations Treaties and Principles on Space Law" United Nations Office for Outer Space Affairs. http://www.unoosa.org/oosa/en/SpaceLaw/treaties.html

[251] A/RES/2222 *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.* United Nations General Assembly. 19 December 1966. http://www.unoosa.org/oosa/en/SpaceLaw/outerspt.html

[252] Ibid

[253] A/RES/3235 *Convention on Registration of Objects Launched into Outer Space.* United Nations General Assembly. *12* November 1974. http://www.unoosa.org/oosa/en/SORegister/regist.html

[254] A/RES/ *Agreement Governing the Activities of States on the Moon and Other Celestial Bodies.* United Nations General Assembly. 18 December 1979 http://www.unoosa.org/oosa/en/SpaceLaw/moon.html

[255] Stephanie Nebehay. "China, Russia to offer treaty to ban arms in space." Jan 25, 2008. http://www.reuters.com/article/idUSL2578979020080125

[256] http://www.spacelaw.olemiss.edu/library/space/IntOrg/CD/2006/documents/CD_1780.pdf

[257] Nick Cumming-Bruce. "U.N. Weighs a Ban on Weapons in Space, but U.S. Still Objects." February 13th, 2008. http://www.nytimes.com/2008/02/13/world/europe/13arms.html

[258] United Nations Institute for Disarmament Research. Safeguarding Space Security. http://www.unidir.org/bdd/fiche-ouvrage.php?ref_ouvrage=92-9045-179-3-en#contents

[259] http://documents-dds-ny.un.org/doc/UNDOC/LTD/N09/563/67/pdf/N0956367.pdf?OpenElement

[260] "India's Spy Satellite Boost." BBC News. http://news.bbc.co.uk/2/hi/south_asia/1679321.stm

[261] "France launches Spy Satellite." PhysOrg. http://www.physorg.com/news2438.html

[262] "Powell presents US case to Security Council of Iraq's failure to disarm." UN News Centre. 5 February 2003. http://www.un.org/apps/news/storyAr.asp?NewsID=6079&Cr=iraq&Cr1=inspect

Several states have also been developing missile technology to destroy targets in orbit. The most recent example comes from the anti-satellite missile strikes launched from the PRC and United States. On January 11th, 2007, China launched a missile to destroy an aging weather satellite.[263] The missile was successful in destroying its target, worrying states over the use of missiles for the purpose of satellite destruction and the resulting debris that would litter the orbit as a result.[264][265][266] While the Chinese government felt that no other State should be alarmed since the test was not directed towards them, the United States later initiated a similar strike.[267] On February 11th, 2008, the United States launched their own missile towards a decaying spy satellite in the interest of safety, since the satellite had toxic chemicals inside.[268][269] While these incidents have exacerbated relations between Member States over the topic of space arms, the launch of a new spy vehicle by the United States on April 22, 2010 has raised many questions in the International community regarding the future of space arms treaties.[270]

Potential Aftermath

The aftermath of a space conflict is potentially quite devastating to all Member States, regardless of whether a Member State is involved in the conflict or not.

If states engaged in space combat, the first targets would be satellites due to their abilities to inform military on the ground of vital intelligence.[271] When a satellite is destroyed, it is very likely to leave a large amount of debris floating in orbit.[272] This debris can stay in orbit, potentially damaging other satellites that share a similar orbital path. [273][274] Furthermore, if a shuttle is launched from Earth, debris could damage the shuttle itself if it remains in orbit.[275] The issue of debris is now one of the primary concerns when launching a new shuttle mission.[276] This could affect the future of all space flights in the future, leading to increased costs in both personnel and funds to states with space programs. Member States looking to launch satellites and missions for increased shielding from debris if its creation is not minimized or tracked[277].

If the debris leaves orbit and descends towards Earth, it would go through the atmosphere, where a large amount would be burnt and destroyed.[278] The surviving debris would pose danger to humans and the environment in three ways: mechanical impact, heat, and hazardous chemicals.[279][280] Mechanical impact would be the damage caused by

[263] Carl Hoffman. "China's Space Threat: How missiles could Target U.S. Satellites". Popular Mechanics. http://www.popularmechanics.com/technology/military/satellites/4218443
[264] Ibid.
[265] "EU alarm over China space weapon". Al-Jazeera.net. http://english.aljazeera.net/news/asia-pacific/2007/01/2008525135654688876.html
[266] China's Anti-Satellite Weapon Test. Federation of American Scientists. http://www.fas.org/sgp/crs/row/RS22652.pdf
[267] Shanker, Thom. "US missile strikes spy satellite falling from orbit". New York Times. February 21, 2008. http://www.nytimes.com/2008/02/21/world/americas/21iht-21satellite.10260791.html?_r=1
[268] Shachtman, Noah. "Inside America's satellite-killing missile". Wired.com http://www.wired.com/dangerroom/2008/02/the-weapon-that/
[269] Oberg, James. "Assessing the hazards of space hydrazine, and the media coverage of it", The Space Review. http://www.thespacereview.com/article/1195/1
[270] David, Leonard. "Air Force Launches Secretive X-37B Space Plane on Mystery Mission". Space.com http://www.space.com/missionlaunches/x-37b-robot-space-plane-blastoff-100422.html
[271] Herbert F. York. Nuclear Deterrence and the Military Uses of Space. Daedalus, Vol. 114, No. 2, Weapons in Space, Vol. I: Concepts and Technologies (Spring, 1985), pp. 17-32.
[272] "Space Debris," by David Wright, *Physics Today*, Vol. 60, No. 10, October 2007, pp. 35-30 (Copyright 2007, American Institute of Physics).
[273] Berger, Brian. "NASA's Terra Satellite Moved to Avoid Chinese ASAT Debris" space.com http://www.space.com/news/070706_sn_china_terra.html
[274] UNIDIR/2006/1 Safeguarding Space Security: Prevention of an Arms Race in Outer Space

[275] Ibid.
[276] Kelly, John. "Debris is Shuttle's Biggest Threat." *Florida Today*. 05 March 2005. http://www.space.com/missionlaunches/050305_shuttle_debris.html
[277] Technical Report on Space Debris. COPUOS http://www.unoosa.org/pdf/reports/ac105/AC105_720E.pdf Pg 38
[278] "Orbital Debris FAQ". NASA. http://orbitaldebris.jsc.nasa.gov/faqs.html
[279] Technical Report on Space Debris. COPUOS http://www.unoosa.org/pdf/reports/ac105/AC105_720E.pdf

debris actually striking something. Heat damage would occur as a result of the debris becoming heated upon re-entry to Earth. Chemicals that could be present with resulting debris could further be hazardous and include chemicals such as hydrazine and beryllium[281][282][283] According to NASA, the amount of debris exiting the atmosphere and hitting the Earth's surface has averaged about 1 piece per day for the past 40 years.[284] While no human has ever been killed by falling debris, a cow was killed in 1960.[285] Humans have been reportedly struck by falling debris while several other near misses have occurred.[286][287] If a larger vessel than a satellite were to explode in space, such as the 2003 incident of the Columbia Shuttle, the amount of debris falling back to Earth could be disastrous. As of 2003, over 78,000 pounds of shuttle material had been accounted for in Texas alone, accounting for 37% of the shuttle weight.[288] While no one was injured from Columbia debris, it exposed the potential dangers of space debris to a wide populace. Large debris showers could be disastrous for Members States if it were to land in their territory, thus when larger sections of debris de-orbit, they are often heavily controlled by various space agencies. For developed Member States with space agencies, the cleanup would be much easier, whereas less developed states would have to identify which chemicals and metals are being dealt with. The results of a chemical spill into a water reservoirs or farm could cause ripple effects if underdeveloped States did not have ample reserves of these items to replace them.

Space Armaments

While space debris poses a major threat, weapons themselves are more dangerous. While the United Nations has worked hard to prevent the militarization of space by negotiating the prevention of three types of weapons of mass destruction from being placed in space: nuclear, biological, and chemical. However, the United Nation's lack of a comprehensive definition for WMD currently hinders other potential weapons that could be satellite based. While orbital missile platforms have already been attempted, other weapons that are beginning development poses a major threat to international peace and security due to a lack of classification.

Electromagnetic pulse "is an instantaneous, intense energy field that can overload or disrupt at a distance numerous electrical systems and high technology microcircuits" along with the ignition of some chemical agents or ordinance.[289][290] EMPs come in two different forms, the first being those that are discharged in a resulting nuclear blast called High-Altitude EMP. [291] The second type of EMPs are those created through the use of batteries and chemical agents.[292] The ability of an EMP grows the higher it is detonated, making them a candidate to be put into orbit by themselves or via a satellite. The aftermath of an EMP strike on a state would be devastating due to the ripple effect that would happen with major information systems. The use electronics by entities such as banks, telecommunication systems, and government would fail, thus cutting off the population caught in the blast. Secondary effects would depend on the strength of the EMP, that if strong enough, set off fuel and ordinance depots. With the inability of a state to communicate, power itself, or defend itself, it could fall to an aggressor no matter how large its size.

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[280] "Four compounds from shuttle can harm on contact." CNN. 3 February 2003.
    http://www.cnn.com/2003/TECH/space/02/03/sprj.colu.toxic.debris/index.html
[281] Oberg, James. "US Satellite Shootdown" IEEE Spectrum. http://spectrum.ieee.org/aerospace/satellites/us-satellite-shootdown-the-inside-story
[282] "Hydrazine" http://www.gasdetection.com/TECH/hydrazine.html
[283] "Beryllium Toxicity". Agency for Toxic Substances & Disease Registry. http://www.atsdr.cdc.gov/csem/beryllium/
[284] "NASA Orbital Debris Faq" NASA http://orbitaldebris.jsc.nasa.gov/faqs.html#13
[285] G.E. Hall. Space Debris – An Insurer's Perspective. Proc. IMechE Vol. 221 Part G: J. Aerospace Engineering. 2007
[286] McKie, Robin & Day, Michael "Warning of catastrophe from mass of 'space junk.'" *The Guardian.* 24 February 2008
    http://www.guardian.co.uk/science/2008/feb/24/spaceexplorationspacejunk
[287] "Has anyone been hit by falling debris?" Aerospace. http://www.aero.org/capabilities/cords/faq8.html
[288] "East Texas Columbia Recovery Search Nears Completion." NASA. 16 April 2003.
    http://www1.nasa.gov/home/hqnews/2003/apr/HP_news_03139.html
[289] "High Altitude Electromagnetic Pulse (HEMP) and High Power Microwave (HPM) Devices: Threat Assessments". CRS Report for Congress. http://www.fas.org/sgp/crs/natsec/RL32544.pdf
[290] "Acquisition Safety - Radio Frequency Radiation (RFR) Hazards". Naval Safety Center.
    http://www.public.navy.mil/navsafecen/Pages/acquisition/radio_frequency-radiation.aspx
[291] Ibid.
[292] Ibid.

Another issue in developmental technology like the EMP deals with lasers which are currently in testing for weaponized use. Laser stands for "light amplification by stimulated emission of radiation."[293] Like the EMP, it is another weapon that is still developing, but at an expediential rate. While not as destructive as traditional weapons, lasers are traditionally used against a single target, and they pose a threat to humans and satellites. While the use of lasers for space militarization has generally been used in regards to missile defense, laser research has developed to the point of being able its range and light creation sources dramatically in the past 3 decades, so much so that the United States had planned to destroy a satellite using an Earth based laser.[294] Besides the defensive applications on the ground, laser weapons in orbit would share some similar characteristics. If a short ranged laser was installed on a satellite, it would be able to destroy any opposing satellites in nearby vicinity, whereas a long range laser would be used against single targets.

Conclusion

The militarization of space is a debate that is a question of when, not if. Member States have made great strides since the original Outer Space treaty nearly 50 years ago in regards to working together to make for a peaceful and secure cosmos for all those that seek to use it, but for it to continue being safe, additional work needs to be done.

The issues that plague Member States that won't sign treaties need to be examined and worked out. Terminology has proven to be one of the big issues regarding ratification for some Member States and the guarantee of some states not already having the technology is another.

The other dividing factor in space armament talks is the ability of Member States to access space and the results that come from that responsibility. Developed Member States will be the states with first access to space militarization where as less developed states could possibly be left having to negotiate with them for space passage. The advent of a disaster would only go to further this divide and who is responsible for the aftermath.

Committee Directive

While Member States have pledged at different stages against further promoting further space militarization and arms installation, these talks have stalled in other committees. These talks are of vital importance to all Member States to protect all of their interests, those that lie in space and on the Earth. The Security Council must utilize its unique structure and abilities to ensure a weapons free future for everyone both on Earth and in the cosmos. How can Member States use documents such as the Outer Space Treaty that have already signed and ratified to enforce a peaceful space? How can the Security Council use discussions from other committees to further debate on the topic?

Topic V: Maritime Security in the Indian Ocean

Introduction

Maritime based shipping is one of the easiest modes of transportation for goods for all Member States, with an estimated 8168 million tons of goods loaded on ships in 2008.[295] Within this tonnage, it is estimated that over 27 million 20-foot cargo containers were shipped between Asia and Europe.[296],[297] With the large amount of goods flowing through major transport hubs, such as the Gulf of Aden and the Malacca Straits, has led to an increase in crime, particularly piracy.[298],[299] Maritime piracy has been a security concern for states dating back many centuries,

[293] Pae, Peter. "Northrop advance brings the era of the laser gun closer". Los Angeles Times. March 19th, 2009. http://articles.latimes.com/2009/mar/19/business/fi-laser19/2

[294] Broad, William. "US to Fire Laser Weapon". New York Times. October 3rd, 1997. http://www.nytimes.com/1997/10/03/us/us-to-fire-laser-weapon-at-a-satellite.html?pagewanted=1

[295] "Review of Maritime Transport 2009" United Nations Conference on Trade and Development pg 25 http://unctad.org/en/docs/rmt2009_en.pdf

[296] "Review of Maritime Transport 2009" United Nations Conference on Trade and Development pg 42 http://unctad.org/en/docs/rmt2009_en.pdf

[297] OECD Glossary of Statistical Terms *Organization for Economic Co-Operation and Development.* http://stats.oecd.org/glossary/detail.asp?ID=4313

[298] "Malacca Strait Pirates" National Geographic Magazine. October 2007. http://ngm.nationalgeographic.com/2007/10/malacca-strait-pirates/pirates-text

with some of the earliest documented attacks dated circa 14th century BCE.[300] The modern image of pirates are no longer men aboard large wooden ships with swords, parrots, and peg legs, but that of modern technology to remain relevant despite centuries since their first appearance in history. Modern pirate now uses armaments such as automatic guns and grenades to assist in their attacks.[301],[302],[303] The common reason pirates of why they commit acts such as pillaging, kidnapping, and extortion amongst others is poverty, particularly in regions where this affliction is rampant and uncontrolled.[304],[305],[306],[307] While pirates commit these crimes, they often complain that they are driven to it because of poverty in the area along with the pollution and poaching created by other states.[308],[309]

The Indian Ocean has seen a large spike of pirate activity in recent years.[310] This is often attributed to the poverty found amongst Member States bordering the Indian Ocean with the Human Development Index listing 12 Member States as Very High or high, 19 as Medium, and six as low or with minimal information available from the 2009 Human Development Report.[311],[312],[313],[314],[315],[316]

Global maritime security poses one of the greatest challenges to international peace and security. Maritime cargo traffic represents an attractive outlet for the transportation and fundraising needs of non-state actors such as terrorist organizations. In addition, it has become a point of vulnerability in potential attacks against population centers and the flow of global commerce. Several factors make maritime traffic attractive. The vastness of the oceans and the sheer volume of trade make it extremely difficult to track ships and/or containers that could be used for transport, attack or illicit profit. Paradoxically, much of the world's shipping is routed through geographic chokepoints that are enticing for purposes of attacks or piracy because the areas are so confined. Inadequate resources mean that much of the world's ports, ships and shipping companies have not achieved compliance with new standards designed to reduce vulnerability. Added to this remains the confusion and lack of transparency created by the flag of convenience system and the fact that the Law of the Sea Treaty has yet to be ratified by all maritime countries.

The United Nations and its affiliates have attempted to combat piracy from two sides; first by dealing with the root causes of piracy, and second by defending the waters of the Indian Ocean. Members of the UNSC must look at the problem, its evolution, and how to prevent it from occurring again.

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[299] "Pirate Attack Density in the Gulf of Aden" United Nations Operational Satellite Applications Programme. http://unosat-maps.web.cern.ch/unosat-maps/SO/Piracy/UNOSAT_Piracy_Gulf_Aden_2008_Highres_v7.pdf

[300] Yuval Goren, Israel Finkelstein, Nadav Na'aman. "Petrographic Investigation of the Amarna Tablets" *Near Eastern Archaeology.* Vol 65. September 2005.

[301] "Pirate attacks around the world rise by 20%." *Telegraph*. 24 May 2008. http://www.telegraph.co.uk/news/2021510/Pirate-attacks-around-the-world-rise-by-20pc.html

[302] Ibid.

[303] "Modern Pirates Terrorize Seas with Guns and Grenades" National Geographic Online. June 10 2010. http://news.nationalgeographic.com/news/2006/07/060706-modern-pirates_2.html

[304] David Johnson. *"Of Pirates, Captives, Barbarians, and the Limits of Culture"* American Literary History. 2002.

[305] "Malacca pirates seize hostages." BBC. March 15 2005. http://news.bbc.co.uk/2/hi/asia-pacific/4350177.stm

[306] "How do you pay a pirate's ransom?" BBC. December 3 2008. http://news.bbc.co.uk/2/hi/africa/7752813.stm

[307] "Piracy symptom of a bigger problem." BBC. April 15 2009. http://news.bbc.co.uk/2/hi/africa/8001183.stm

[308] "Red Sea & Gulf of Aden: Threats." United Nations Environment Programme. http://www.unep.ch/regionalseas/main/persga/redthreat.html

[309] "British couple's family pay ransom to Somali gang" Reuters Africa. June 26 2010. http://af.reuters.com/article/topNews/idAFJOE65P02M20100626

[310] "Piracy around the world and the role of IMO." IMO May 10 2010. http://www.imo.org/dynamic/mainframe.asp?topic_id=1674&doc_id=12869

[311] "Human Development Report 2009" United Nations Development Project http://hdr.undp.org/en/media/HDR_2009_EN_Complete.pdf

[312] 2009 Human Development Report. Human Poverty Index. http://hdrstats.undp.org/en/buildtables/xl_rc_report_byrow.cfm?country_ids=COM,DJI,EGY,ERI,KEN,MDG,MUS,MOZ,SYC,SOM,ZAF,SDN,TZA,BHR,BGD,MMR,IND,IDN,IRN,IRQ,ISR,JOR,KWT,MYS,MDV,OMN,PAK,QAT,SAU,LKA,THA,ARE,YEM,AUS,SGP,TMP&hdr_indic_ids=84,85

[313] Ibid.

[314] Ibid.

[315] Ibid.

[316] Ibid.

Maritime Security

One main issue in combating piracy is that pirates are able to move freely amongst the seas and coasts, which creates problems for Member States attempting to monitor national and international waters for pirate activity. The costs associated with these activities can go well over several million dollars in a year for both governments and businesses.[317][318] The second problem is actually having the man power and vehicles available to patrol the sea. With the government unable inability to control their waters, it leads to pirates having impunity in the area.

While one government might have issues with patrols and monitoring, one solution is one of the oldest. The Hanseatic League was a group of merchants from various cities across Europe circa 1200 A.D. that created a guild in partnership together to further trading.[319] A secondary function of the Hansa alliance was as a military partnership against the pirates of the region.[320] Several arrangements throughout history used similar alliances, such as the League of Cinque Ports.[321],[322] States would continue to align against pirates whenever their interests were attacked, with the most recent example being the security initiatives of the Malacca Strait, a major shipping artery that controls 40% of the world's trade.[323] Member States in the region such as Indonesia, Malaysia, and Singapore have banded together to prevent further attacks.[324] 2004 brought a record number of pirate attacks to the region, demonstrating to the states just how large the problem had become with over 38 attacks reported to the IMB.[325] The states used several methods in the region to combat piracy as a reaction to the large amount of attacks. Through the combined use of job creation, intelligence sharing, aerial patrols, and combined sea patrols between the three states, this arrangement led to the number of attacks being reported to only one for 2009.[326],[327],[328],[329]

Actions of the United Nations

Piracy has been recognized as an international concern of Member States since 1958, when the first Conference on the Law of the Sea was held in Switzerland.[330] Of the four treaties passed at the conference, the Convention of the High Seas was the first document passed to explicitly define piracy, with nearly 10 of its articles addressing piracy and how Member States should proceed in handling pirates.[331] 25 years later, the comprehensive Convention on the

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[317] "EU naval operation against piracy (EUNAVFOR Somalia – Operation ATALANTA)   European Union Security.
http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/100426%20Factsheet%20EU%20NAVFOR%20Somalia%20-%20version%2017_EN.pdf

[318] Sebastion Berger.   "Somali pirates drive up world prices"   *Telegraph*   18 Nov 2008.
http://www.telegraph.co.uk/news/worldnews/africaandindianocean/somalia/3479581/Somali-pirates-drive-up-world-prices.html

[319] Ian Colvin.   "The Germans in England, 1066-1598"   1915,   p32.

[320] "Agreement of the Hanseatic League at Luebeck"
http://www.balticconnections.net/views/exhibition/detail.cfm?mode=theme&ID=18CEDA3F-D929-4A8E-E777F313AC7EB8E4

[321] Albert Hart.   "Introduction to the Federal Government"   1891,   p43

[322] Murray, Katherine.   "The constitutional history of the Cinque Ports"   1915.   p58

[323] "How to Defeat Pirates: Success in the Straits".   *Time.*   Apr 22 2009
http://www.time.com/time/world/article/0,8599,1893032,00.html

[324] Catherine Zara Raymond.   "Piracy and Armed Robbery in the Malacca Strait"   *Naval War College Review.*   Summer 2009.
http://www.usnwc.edu/getattachment/7835607e-388c-4e70-baf1-b00e9fb443f1/Piracy-and-Armed-Robbery-in-the-Malacca-Strait--A-

[325] "Piracy and Armed Robbery against Ships Annual Report"   ICC International Maritime Bureau   2007.

[326] Catherine Zara Raymond.   "Piracy and Armed Robbery in the Malacca Strait"   *Naval War College Review*   Summer 2009
http://www.usnwc.edu/getattachment/7835607e-388c-4e70-baf1-b00e9fb443f1/Piracy-and-Armed-Robbery-in-the-Malacca-Strait--A-

[327] Ibid. P37

[328] Graham Ong-Webb,.   "Piracy, Maritime Security, and Securing the Malacca Straits"   2006,   p47

[329] "Launch of Trilateral Coordinated Patrols"   Mindef Singapore   July 20 2004.
http://www.mindef.gov.sg/imindef/news_and_events/nr/2004/jul/20jul04_nr.html

[330] "United Nations Conference on the Law of the Sea"   United Nations Diplomatic Conferences.   1958.
http://untreaty.un.org/cod/diplomaticconferences/lawofthesea-1958/lawofthesea-1958.html

[331] "Convention on the High Seas"   United Nations   1958
http://untreaty.un.org/ilc/texts/instruments/english/conventions/8_1_1958_high_seas.pdf

Law of the Sea was passed, which included and updated the articles from the Convention of the High Seas related to piracy.[332]

The General Assembly, in May 2010, held an informal session on dealing with piracy - particularly around Somalia.[333] The President of the General Assembly stated that a holistic approach needs to be taken that covers the many needs of Somalia.[334] At the same meeting, Secretary General Ban Ki Moon stated that "many steps such as international cooperation, land based solutions, establishing trials, and in different contexts as needed to be taken to solve this issue" in regards to piracy.[335]

The Security Council has passed over 10 resolutions in regard to Somalia since the beginning of the Civil War. While several resolutions have been proposed and passed to deal with the Somali Civil War, their functions have been carried over to deal with the piracy crisis happening off of the coast. The earliest resolution passed by the Security Council dealing with piracy was UNSC Resolution 733, passed in 1992.[336] This resolution was passed to create an arms embargo to Somalia, which is still in effect nearly 20 years later.[337] UNSC Resolution 751 was passed shortly thereafter and created a committee to oversee the arms embargo.[338] Passed in August 2007, Resolution 1772 extended the AMISOM mandate and encouraged all Member States with military vessels in the Somali waters to remain vigilant of piracy and aid in protecting merchant and humanitarian aid ships.[339]

Resolutions 1816, 1844, 1846, and 1851 are perhaps the strongest resolutions from the Security Council regarding Somali piracy which passed in December 2008.[340],[341],[342] Resolution 1851 called for all Member States and regional and international organizations with the capacity to combat piracy on the Somali coast to do so.[343] 1851 also led to the creation of the Contact Group on Piracy off the Coast of Somalia, an "ad hoc group forum" that brings together interested partners in combating piracy in the region.[344] They are also the first resolutions that bring up the criminal jurisdiction and trials needed for those committing the crime of piracy, since these crimes routinely occur in international waters.[345] The Transitional Federation Government of Somalia wrote a letter to the Security Council which was addressed within resolution 1816 with the ability for states to enter Somalia territorial waters to deal with pirates.[346],[347] Resolution 1918 passed in April of 2010 called for Member States to criminalize piracy within their own state laws.[348]

Current Situation

There are several current patrol missions that are active in promoting security off the coast of Africa and the Malacca Straits. One of the largest missions is currently staffed by the North Atlantic Treaty Organization (NATO)

[332] "Overview – Convention & Related Agreements" Convention on the Law of the Sea
http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm
[333] "UN Member States debate ways to fight piracy off Somalia" UN News Centre May 14 2010
http://www.un.org/apps/news/story.asp?NewsID=34703&Cr=piracy&Cr1=
[334] "Remarks to the General Assembly Informal Meeting on Piracy" UN News Centre May 14 2010.
http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=815
[335] Ibid.
[336] S/RES/751 United Nations Security Council April 24, 1992.
[337] S/RES/733 United Nations Security Council January 23, 1992.
[338] S/RES/751 United Nations Security Council April 24, 1992.
[339] S/RES/1772 United Nations Security Council August 20, 2007.
[340] S/RES/1844 United Nations Security Council November 20, 2008.
[341] S/RES/1846 United Nations Security Council December 2, 2008.
[342] S/RES/1851 United Nations Security Council December 16, 2008.
[343] Ibid.
[344] "Contact Group on Piracy off the Coast of Somalia" US Department of State.
http://www.state.gov/t/pm/ppa/piracy/contactgroup/index.htm
[345] S/RES/1816 United Nations Security Council June 6, 2008.
[346] Ibid.
[347] "Security Council Condemns Acts of Piracy, Armed Robbery Off Somalia's Coast" SC/9344 June 2, 2008
http://www.un.org/News/Press/docs/2008/sc9344.doc.htm
[348] S/RES/1918 United Nations Security Council April 27, 2008.

under the name Ocean Shield.[349] This mission was created after the expiration of Operation Allied Provider, which was founded to provide protection for World Food Programme ships transporting supplies into Somalia.[350]

 NATO has take other steps to help increase awareness of piracy, such as holding major conferences inviting states that have an interest in the region.[351] The Shared Awareness and Deconfliction group holds monthly meetings with the last held on 1 June 2010 in Bahrain. Other international organizations that have patrols that are set up in the region such as the European Union Naval Force and Coalition Maritime Forces are also routinely present at the meetings.[352]

The European Union, like NATO, also has an operating mission meant to control pirates, particularly in the Gulf of Aden, called Atalanta.[353] Including patrols of the Gulf of Aden, Atalanta has several orders that comprise its mandate such as "protecting vessels of the World Food Programme, humanitarian aid and African Union Military Mission in Somalia shipping, help deter, prevent and repress acts of piracy and armed robbery, and monitor fishing activities off the coast of Somalia."[354] This mission provides more than ships to the region, helping to train Somali personnel in regards to military and security work along with donations of over 60 billion euros to assist for training and humanitarian aid.[355][356] The mandate for this mission is currently set to expire in December of 2010.[357]

Conclusion

The Indian Ocean is a vital part of world economic trade. Oceanic routes such as the Gulf of Aden and the Malacca straits allow boats to access continents in a faster manner than other routes. to get products across the world as needed. However, the activity in the region and nature of pirates make security of water ways problematic for business and travel. Due to the efforts of the United Nations, other IGOs, NGOs, and Member States cooperating together, the piracy rate has dropped in areas such as the Malacca Straits.[358] Thus, a variety of options exist in dealing with piracy that have been effective in both historical and modern times.

Attempted to combat piracy such as multi-state patrols from missions such as Atlantis, have proven to be successful. To prevent future outbreaks of piracy, the Security Council must look at the unique motivations of pirates in the region to see what issues can be addressed such as poverty, pollution, poaching, and greed. These motivations may have exacerbated and controlled by international entities and need to be dealt with as such. Piracy not only presents a problem to regional peace and security, but also to the economic security of Member States that rely on the ocean as a main form of product transportation.

Committee Directive

The Security Council must look at the piracy issue in two ways. Delegates should work to determine what can be done to improve upon the work to ensure security in various pirate hotspots in the Indian Ocean. The Council must also examine the root causes of piracy around the Indian Ocean and in bordering states. The United Nations has a

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[349] Operation Ocean Shield   NATO   http://www.manw.nato.int/page_operation_ocean_shield.aspx
[350] Operation Ocean Shield   Allied Command Operations   http://www.aco.nato.int/page208433730.aspx
[351] "News Release: NATO Chairs Counter Piracy Meeting in Bahrain"   NATO   June 2, 2010.
     http://www.manw.nato.int/pdf/Press%20Releases%202010/Jun%20-%20Dec%202010/SNMG2%202010%2019.pdf
[352] Ibid.
[353] Council of the European Union - EUNAVFOR   http://www.consilium.europa.eu/showPage.aspx?id=1518&lang=en
[354] "Operation Atalanta"   European Union Naval Force Somalia   http://www.eunavfor.eu/about-us/mission/
[355] "EU military mission to contribute to the training of the Somali Security Forces"   European Union Common Security and
     Defense Policy.   June 2010.
     http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/100607%20Fact%20sheet%20EUTM%20-
     %20version%205_EN.pdf
[356] Ibid.
[357] EU Council Secretariat Factsheet – EU Engagement in Somalia   April 2010.
     http://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/100407%20FACTSHEET%20EU%20ENG
     AGEMENT%20SOMALIA%20-%20version%208_EN.pdf

[358] Raymond, Catherine Zara. "Piracy and Armed Robbery in the Malacca Strait" *Naval War College Review*. Summer 2009,
     p34. http://www.usnwc.edu/getattachment/7835607e-388c-4e70-baf1-b00e9fb443f1/Piracy-and-Armed-Robbery-in-
     the-Malacca-Strait

rich body of actions that have been to taken to alleviate the issue, but which of these programs can the UNSC improve on to deal with these issues? Individual Member States across the globe have had to deal with piracy in the physical and economic sense; Are there solutions that these Member States found useful that can be integrated into UNSC resolutions? What laws and treaties, if any, has your Member State adopted or signed in response to this crisis? How can Member States answer the call from the UNSC in resolutions such as 1851 and 1918?