

# General Assembly Fourth Committee

# Committee Mandate

#### Introduction

The United Nations General Assembly (UNGA) was established in 1945 as one of the foundational institutions of the United Nations (UN) and is the primary embodiment of sovereign equality within the UN, representing all 193 UN Member States<sup>1</sup>. As a deliberative body, the UNGA allows all Member States the opportunity to express their stance and opinions on international issues in order to create non-binding resolutions aimed at addressing some of the world's most pressing issues<sup>2</sup>.

The General Fourth Committee (GA4) is one of the UNGA's six subsidiary bodies, and was created to serve political missions and peacekeeping operations, to govern peaceful use of outer space, and discuss atomic radiation, as well as non-self-governing territories<sup>3</sup>.

The Special Political and Decolonization Committee (Fourth Committee) considers a broad range of issues covering a cluster of five decolonization-related agenda items, the effects of atomic radiation, questions relating to information, a comprehensive review of the question of peacekeeping operations as well as a review of special political missions, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), Israeli Practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories, and International cooperation in the peaceful uses of outer space<sup>4</sup>.

#### <u>Membership</u>

As one of the six subsidiary bodies of the General Assembly, membership in GA4 is extended to all 193 UN Member States<sup>5</sup>.

The Fourth Committee met during the main part of the 77<sup>th</sup> session on 29 September 2022 and from 3 October to 11 November 2022. In the 77<sup>th</sup> session, the Fourth Committee approved six draft resolutions plus one draft decision, including a request for International Justice Court (ICJ) opinion on Israeli occupation. A review of a new

<sup>&</sup>lt;sup>1</sup> United Nations General Assembly. "General Assembly of the United Nations." N.d.

<sup>&</sup>lt;sup>2</sup> Ibid.

<sup>&</sup>lt;sup>3</sup> Ibid.

<sup>&</sup>lt;sup>4</sup> https://www.un.org/en/ga/fourth/

<sup>&</sup>lt;sup>5</sup> United Nations. "About UN Membership." N.d.

mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was also approved. The Fourth Committee requested an advisory opinion from the International Court of Justice on Israel and the Occupied Palestinian Territory<sup>6</sup>.

At the 77<sup>th</sup> session of GA4, Member States deliberated on topics including the nuclear weapons and the Israeli-Palestine conflict. High-level plenary meetings were held to commemorate the International Day for the Total Elimination of Nuclear Weapons as well as the 30th anniversary of the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities<sup>7</sup>. GA4 is overseen by an annually rotating Chairperson, with Oman Ambassador and Deputy Permanent Representative to the United Nations Mohamed AI Hassan having served during the 77<sup>th</sup> session<sup>8</sup>.

## **Reporting**

GA4 gathers annually to debate how to address issues of peace and security, and the discussion results are used to develop working papers by the delegates in cooperation and communication with the other Member States<sup>9</sup>. After being reviewed by the committee and amended to reflect the stance of the body, these working papers may become draft resolutions if accepted via a majority vote by the committee<sup>10</sup>. Draft resolutions are then passed onto the General Assembly Plenary, where it may be voted upon by every Member State in order to be adopted as a resolution reflective of the will of the international community<sup>11</sup>. This process is essential for maintaining sovereign equality, as not all Member States have the resources and staffing available to be represented at every committee session and informal debate.

<sup>&</sup>lt;sup>6</sup> Document A/C.4/77/L.12/Rev.1

<sup>7</sup> https://www.un.org/en/ga/77/meetings/

<sup>&</sup>lt;sup>8</sup> United Nations General Assembly First Committee. "Mohamed Al Hassan (Oman), Chair of Fourth Committee." United Nations. N.d.

<sup>&</sup>lt;sup>9</sup> United Nations General Assembly. " Special Political and Decolonization Committee (Fourth Committee)." United Nations. N.d. <sup>10</sup> Ibid.

<sup>&</sup>lt;sup>11</sup> Ibid.

## Bibliography

United Nations. "About UN Membership." United Nations. N.d. https://www.un.org/en/about-us/about-un-membership

United Nations General Assembly. "About the General Assembly." United Nations. N.d. https://www.un.org/en/ga/about/background.shtml

United Nations General Assembly. "Special Political and Decolonization Committee (Fourth Committee)." United Nations. N.d.https://www.un.org/en/ga/fourth /index.shtml



## **General Assembly Fourth Committee**

#### A Thematic Review of the Effects of Nuclear Testing

#### **Introduction**

The so-called "Nuclear Club", which describes the nations that own nuclear weapons, consists of the United States, the United Kingdom, France, Israel, Pakistan, Russia, India, China, and North Korea<sup>12</sup>. However, the U.S. and Russia own 90% of the world's nuclear weapons. There are currently over 13,000 nuclear weapons in the world but the exact number is a closely held national secret, individual to each country<sup>13</sup>. The United Nations's founding in 1945 came shortly on the heels of the United States' "founding" of the club with its development and use of the atomic bomb in the waning days of the second World War.

A nuclear weapon, which can be delivered by air, land, or sea, is a device that uses nuclear reaction to create an explosion giving off four types of energy: a blast wave, intense light, heat, and radiation<sup>14</sup>. The explosion creates a large fire ball which vaporizes upward into a large mushroom shaped cloud, the material in the cloud drops backs down to earth as a fallout, which is radioactive and contaminates anything it lands on. Some nuclear weapons, such as the intercontinental ballistic missile can travel up to 3,400 miles, or over 5,400 kilometers<sup>15</sup>. The United States was the first country to manufacture nuclear weapons and is the only country to have used them in combat, with the bombings of Hiroshima and Nagasaki in World War II<sup>16</sup>. In 1945, the U.S. created the first nuclear test explosion, called the *Trinity Test* in the New Mexico desert. In the same year, the U.S. dropped two atomic bombs on the Japanese cities of Hiroshima and Nagasaki, killing over 200,000 people and injuring and traumatizing hundreds of thousands more<sup>17</sup>.

<sup>17</sup> Ibid.

 <sup>&</sup>lt;sup>12</sup> Hunt, Jonathan R. *The Nuclear Club: How America and the World Policed the Atom from Hiroshima to Vietnam*. Stanford University Press, 2022, http://www.sup.org/books/title/?id=33916, Accessed 15 Aug. 2023.
 <sup>13</sup> Ibid.

<sup>&</sup>lt;sup>14</sup> https://www.cdc.gov/nceh/multimedia/infographics/nuclear\_weapon.html

<sup>&</sup>lt;sup>15</sup> https://www.dw.com/en/what-is-an-intercontinental-ballistic-missile/a-39534486

<sup>&</sup>lt;sup>16</sup> https://ahf.nuclearmuseum.org/ahf/history/bombings-hiroshima-and-nagasaki-1945/

#### Background

#### Start of Nuclear Weapons Testing

With the so-called "Trinity Test" on July 16, 1945 in the New Mexico desert of the United States, a nuclear weapon was detonated for the first time in human history<sup>18</sup>. A month later, the first military use occurred with the dropping of nuclear weapons over Hiroshima and Nagasaki at the end of World War II<sup>19</sup>. Despite early consideration of international control of fissile material for the construction of nuclear weapons, other nations gained the capability to produce them, such as the Soviet Union in 1949 and the United Kingdom in1952<sup>20</sup>. In the 1950s, the United States and the Soviet Union began testing so-called thermonuclear weapons, also called hydrogen bombs, which have higher explosive power and produce correspondingly larger amounts of radioactive fallout<sup>21</sup>.

#### Partial Test Ban Treaty

Among other things, the criticism of these tests led to the USA, the Soviet Union and the United Kingdom agreeing in 1963 on a ban on tests in the atmosphere, under water and in space. This was laid down in an international treaty, the Partial Nuclear Test-Ban Treaty (PTBT)<sup>22</sup>. However, France (first test in 1960) and China (first test in 1964) did not sign this treaty and continued to conduct nuclear weapons tests in the atmosphere until 1980<sup>23</sup>.

#### From Partial to Comprehensive Test Stop

PTBT signatory states complied with treaty rules, reducing the number of atmospheric (above-ground) tests, and the associated radioactive fallout<sup>24</sup>. However, the total number of all nuclear weapons tests did not decrease; they were now only conducted below the earth's surface in the majority of cases<sup>25</sup>. To date, over 2,000 nuclear weapons tests have been counted. On the diplomatic level, a comprehensive test ban treaty was discussed after the PTBT came into force, and the so-called "Group of Scientific Experts" (GSE) was established in 1976. Its task was to clarify whether and how compliance with such a treaty could be verified, because a reliable verification system is a crucial prerequisite for states to commit themselves to a ban under

<sup>&</sup>lt;sup>18</sup> https://www.afnwc.af.mil/About-Us/History/Trinity-Nuclear-Test/#:~:text=Department%20of%20Energy)-,The%20world%27s%20first%20nuclear%20explosion%20occurred%20on%20July%2016%2C%201945,as%20the%20Jornada%2

<sup>0</sup>del%20Muerto.

<sup>19</sup> Ibid. 20 Ibid.

<sup>&</sup>lt;sup>21</sup> Source: CTBTO https://www.ctbto.org/map/

<sup>&</sup>lt;sup>22</sup> https://treaties.unoda.org/t/test ban

<sup>23</sup> Source: CTBTO https://www.ctbto.org/map/

<sup>&</sup>lt;sup>24</sup> https://www.nti.org/education-center/treaties-and-regimes/treaty-banning-nuclear-test-atmosphere-outer-space-and-under-waterpartial-test-ban-treaty-ptbt/ <sup>25</sup> Ibid.

international law<sup>26</sup>. Opinions initially diverged widely on the possibilities and limits of verification, especially scientific verification<sup>27</sup>.

## **Current Situation**

## Comprehensive Nuclear Test Ban Treaty (CBTB)

It took until the end of the Cold War for formal negotiations to begin at the United Nations in the Geneva Conference on Disarmament. The deliberations, in which the German Federal Agency for Radiation Protection (BfS) experts also played a major role<sup>28</sup>, were concluded just two years later and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) was opened for signature in 1996. The negotiating parties wanted to ensure that the signatories to the treaty would not enter into binding commitments until all states with nuclear facilities - and thus the theoretical capability to build nuclear weapons - had joined<sup>29</sup>. Therefore, the document includes a list of 44 states (known as Annex 2 states) that must ratify the treaty before it enters into force<sup>30</sup>. To date, of these 44 states, three that must sign and ratify the treaty before it enters into force (India, North Korea, Pakistan) and five that have signed but not yet ratified the treaty (Egypt, China, Iran, Israel, U.S.) are missing<sup>31</sup>.

The CTBT bans all nuclear explosions, whether for military or peaceful purposes. It comprises a preamble, 17 articles, two annexes and a Protocol with two annexes<sup>32</sup>. The Resolution was adopted by the States Signatories on 19 November 1996 and establishes the Preparatory Commission for the CTBTO<sup>33</sup>. 44 States still have to ratify the Treaty for it to enter into force<sup>34</sup>. The Treaty is intended for unlimited duration<sup>35</sup>. It will formally enter into force 180 days after 44 designated "nuclear-capable states" (as listed in Annex 2 of the Treaty) have deposited their instruments of ratification with the UN Secretary General. To date, 186 states have signed and 174 have ratified the treaty. Of the 44 specified countries, India, Pakistan, and North Korea still have not signed, and only 36 have ratified the treaty<sup>36</sup>. Its comprehensive goal is ending an era of over 2,000 nuclear blasts worldwide through a unique and comprehensive verification regime to make sure no nuclear test goes undetected<sup>37</sup>. As of 2023, 186 countries have signed

<sup>&</sup>lt;sup>26</sup> https://www.nti.org/education-center/treaties-and-regimes/treaty-banning-nuclear-test-atmosphere-outer-space-and-under-waterpartial-test-ban-treaty-ptbt/

<sup>&</sup>lt;sup>27</sup> Ibid.

<sup>&</sup>lt;sup>28</sup> https://www.bfs.de/EN/topics/ion/accident-management/bfs/environment/ctbt.html

<sup>&</sup>lt;sup>29</sup> https://www.ctbto.org/our-mission/the-

treaty#:~:text=The%20Comprehensive%20Nuclear%2DTest%2DBan%20Treaty%20(CTBT)%20bans,a%20Protocol%20with%20tw o%20annexes.

<sup>&</sup>lt;sup>30</sup> Ibid.

<sup>&</sup>lt;sup>31</sup> Ibid.

<sup>&</sup>lt;sup>32</sup> https://www.ctbto.org/our-mission/the-treaty

<sup>&</sup>lt;sup>33</sup> Ibid.

<sup>&</sup>lt;sup>34</sup> Ibid.

<sup>&</sup>lt;sup>35</sup> Ibid.

<sup>&</sup>lt;sup>36</sup> https://www.armscontrol.org/factsheets/ctbtsig

<sup>&</sup>lt;sup>37</sup> https://www.ctbto.org/our-work/international-monitoring-system

the Treaty, and 174 have ratified it. Only 8 key ratifications are missing to make it international law<sup>38</sup>.

## International Monitoring System (IMS)

This unique global monitoring network, still in process of completion, will maintain 321 monitoring stations and 16 laboratories hosted by 89 countries around the world on all continents<sup>39</sup>. Approximately 90% of this network has already been completed, and currently provides a steady flow of real-time data<sup>40</sup>. It has detected all six of North Korea's declared nuclear tests between 2006 and 2017<sup>41</sup>. In addition to nuclear tests the system can detect a wide range of phenomena including earthquakes, volcanic eruptions and meteor strikes, as well as non-nuclear explosions, such as the ammonium nitrate explosion in the port of Beirut in 2020<sup>42</sup>. Locations vary greatly across the globe, but include include some of the world's most remote and inhospitable environments, posing engineering challenges unprecedented in the history of arms control<sup>43</sup>. If there is a nuclear test anywhere on the planet, the system will detect it. If a test is conducted underground, the CTBTO seismic stations will pick up vibrations<sup>44</sup>. If a test is conducted in the atmosphere, the infrasound stations detect sounds that we as humans cannot hear, while its radionuclide stations detect radioactivity in the air<sup>45</sup>. Finally, a test anywhere in the oceans is detected by hydroacoustic stations, which will sense the sound tens of thousands of kilometers away<sup>46</sup>.

#### International Data Centre (IDC)

Headquartered in Vienna, Austria, the International Data Center serves as a central hub for the collection and analysis of the collected data from around the globe<sup>47</sup>. Once a station records location, time and magnitude of an event, the data are transmitted via the global satellite communications network, which is comprised of five satellites positioned around the globe<sup>48</sup>. The satellites route the data to hubs on the ground, and from there data are transmitted through protected connections to the IDC in Vienna<sup>49</sup>. Scientists process and analyze the data in several steps. The raw data and the analysis results are then distributed electronically to Member States around the world<sup>50</sup>.

50 Ibid.

<sup>&</sup>lt;sup>38</sup> https://www.armscontrol.org/factsheets/ctbtsig

<sup>&</sup>lt;sup>39</sup> https://www.ctbto.org/our-work/international-monitoring-system

<sup>40</sup> Ibid.

<sup>&</sup>lt;sup>41</sup> https://www.ctbto.org/our-work/international-monitoring-system

<sup>&</sup>lt;sup>42</sup> Ibid.

<sup>&</sup>lt;sup>43</sup> Ibid.

<sup>44</sup> https://www.ctbto.org/our-work/verification-regime

<sup>&</sup>lt;sup>45</sup> Ibid. <sup>46</sup> Ibid.

<sup>47</sup> https://www.ctbto.org/our-work/verification-regime

<sup>&</sup>lt;sup>48</sup> Ibid.

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

#### Implementation of the CBTB

When the Treaty finally takes effect, verification of the prohibition norm (Verbotsnorm??) must be possible immediately. For this reason, the so-called Preparatory Commission for the CTBT was established in Vienna, whose task is, in particular, to set up an international monitoring network with 337 measuring stations<sup>51</sup>. With the help of this monitoring network, compliance with the treaty can be reliably monitored<sup>52</sup>. In addition, the CTBTO prepares the concept for on-site inspections, develops measurement methods for them and conducts exercises<sup>53</sup>.

# Radiological Threats

Radiological threats can result from radioactive substances used in medicine and research or transported by various means<sup>54</sup>. The release of radioactive material with criminal intent (colloquially known as a "dirty bomb") can also pose a hazard<sup>55</sup>. Since this cannot be achieved by a conventional explosion alone, radiological dispersion device (RDD) is the better term. The primary hazards of an RDD are its psychological effect on the population and, if applicable, the initiating conventional explosion effect - radiation exposure that is hazardous to health is difficult to achieve in this way<sup>56</sup>.

## Nuclear Threats

Nuclear threats, on the other hand, are characterized by a much greater potential for damage: Severe nuclear power plant accidents can lead to contamination of large areas<sup>57</sup>. In addition to the effects of pressure, heat, radioactive radiation and radioactive fallout, the explosion of a nuclear weapon results in an electromagnetic pulse (NEMP) that can severely damage the power infrastructure, among other things<sup>58</sup>. The German Federal Office for Civil Protection and Disaster Assistance (BBK) provides equipment in the form of measurement technology, vehicles and personal protective equipment so that these hazards can be countered throughout the country<sup>59</sup>. For the continuous further development of this equipment, a physical testing laboratory is operated<sup>60</sup>.

# Future Outlook

<sup>&</sup>lt;sup>51</sup> https://www.ctbto.org/our-mission/the-organization/the-preparatory-commission

<sup>&</sup>lt;sup>52</sup> Ibid.

<sup>&</sup>lt;sup>53</sup> Ibid.

<sup>&</sup>lt;sup>54</sup> https://www.cdc.gov/nceh/dls/radiologic\_threat\_agents.html

<sup>&</sup>lt;sup>55</sup> https://www.bfs.de/EN/topics/ion/accident-management/bfs/hazard-avoidance/abuse-explosives.html

<sup>&</sup>lt;sup>56</sup> https://www.cdc.gov/nceh/dls/radiologic\_threat\_agents.html

<sup>&</sup>lt;sup>57</sup> https://www.nti.org/area/nuclear/

<sup>&</sup>lt;sup>58</sup> Ibid.

<sup>&</sup>lt;sup>59</sup> Ibid.

<sup>60</sup> Ibid.

In the future, a new measurement system will make it even easier to detect secret underground nuclear weapons tests. At the end of January, the German Federal Office for Radiation Protection (BfS), on behalf of the International Nuclear Test Ban Treaty Organization (CTBTO), completed the six-month test phase of a new system for measuring radioactive noble gases in the air. This should enable even lower concentrations to be recorded than was previously the case. The measurements will thus become even more precise. The President of the German Federal Office for Radiation Protection, Inge Paulini, points to the international significance: "With the exception of North Korea, no nuclear bombs have been tested anywhere in the world since the international monitoring system was set up at the end of the 1990s. This is a major partial success for the goal of nuclear disarmament. To ensure that this remains the case, the monitoring system must be continuously developed. With the testing of a new measuring system on the Schauinsland, BfS has made a contribution to this in recent months." New measurement system on Schauinsland enables more accurate measurements.

## Focus Questions

- Is your nation in possession of nuclear weapons?
- What is your nation's stance towards nuclear weapons?
- Does your nation use nuclear energy? Why or why not?
- Has your nation made any agreements with other member states to decommission nuclear weapons currently present in the country?

#### Bibliography

Hunt, Jonathan R. *The Nuclear Club: How America and the World Policed the Atom from Hiroshima to Vietnam*. Stanford University Press, 2022, http://www.sup.org/books/title/?id=33916, Accessed 15 Aug. 2023.

United Nations. "About UN Membership." United Nations. N.d. https://www.un.org/en/about-us/about-un-membership

United Nations General Assembly. "About the General Assembly." United Nations. N.d. https://www.un.org/en/ga/about/background.shtml

United Nations General Assembly. "Special Political and Decolonization Committee (Fourth Committee)." United Nations. N.d.https://www.un.org/en/ga/fourth /index.shtml

https://www.unscear.org/unscear/en/publications/scientific-reports.html

#### **General Assembly Fourth Committee**

# Topic II: Implementing the Responsibility to Protect in United Nations Peacekeeping

"The imperative was clear: do more to protect people, and do so as a united international community." – Secretary-General of the United Nations António Guterres

#### Introduction

The United Nations (UN) was founded on principles of world cooperation, among other reasons, "to save succeeding generations from the scourge of war…and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person…"<sup>61</sup> In the wake of the genocides of the 1990s, the international community found itself faced with pressing questions: how can the world prevent failures like Rwanda and the former Yugoslavia? How can the nations of the world better hold themselves to account?<sup>62</sup> The solution that would come about – known as the responsibility to protect (R2P) principle – has played a part in many peace operations since.

R2P goes hand-in-hand with peacekeeping by the UN in both purpose and context. Similar to discussions of peacekeeping mandates, adoption of R2P was a result of years of complicated discussion; after all, it attempts to respect sovereignty, a core tenet of international diplomacy, while ensuring states meet humanitarian obligations.<sup>63</sup> Crucial to the conversation is the specific nature of the four mass atrocity crimes that R2P applies to: genocide, war crimes, crimes against humanity, and ethnic cleansing.<sup>64</sup> These crimes are perceived to be so abhorrent that the responsibility of states to protect their citizens from these crimes outweighs their right to sovereignty and obliges other states to act if a state fails in its responsibilities.<sup>65</sup> Deployment of peacekeepers elevates protection of civilians to a primary role, often specifically in situations where the above atrocity crimes are a concern.<sup>66</sup>

Discussion of R2P has historically fallen under the umbrella of the General Assembly Third Committee due to its aspects of human rights issues.<sup>67</sup> For the General Assembly Fourth Committee, discussion of R2P is relevant under the umbrella of peacekeeping-related issues.<sup>68</sup> As the 20-year mark of the adoption of R2P

<sup>&</sup>lt;sup>61</sup> United Nations. "Charter of the United Nations." 1945.

<sup>&</sup>lt;sup>62</sup> Global Centre for the Responsibility to Protect. "What is R2P?" Global Centre for the Responsibility to Protect.

<sup>&</sup>lt;sup>63</sup> International Commission on Intervention and State Sovereignty. "Report of the International Commission on Intervention and State Sovereignty." 2001.

<sup>&</sup>lt;sup>64</sup> Global Centre for the Responsibility to Protect. "What is R2P?" Global Centre for the Responsibility to Protect.

<sup>65</sup> Ibid.

<sup>&</sup>lt;sup>66</sup> Global Centre for the Responsibility to Protect. "Improving Peacekeeping and Civilian Protection." Global Centre for the Responsibility to Protect.

<sup>&</sup>lt;sup>67</sup> Global Centre for the Responsibility to Protect. "UN General Assembly and R2P." Global Centre for the Responsibility to Protect.

<sup>&</sup>lt;sup>68</sup> United Nations Department of Peacekeeping Operations. "The Protection of Civilians in United Nations Peacekeeping Handbook." United Nations. 2020.

approaches, the international community will review the intersection of peacekeeping and the principle of R2P to determine what stance the UN will take moving forward in ensuring the dignity of citizens of every nation.

#### Background

In the 1990s, failures of UN Peacekeeping – such as the 1994 Rwandan Genocide and the 1995 Srebrenica Massacre – prompted serious reevaluation of the entire system of UN peace operations. While a number of changes were made to the logistical aspects of peacekeeping, a contingent of the international community became more focused on the high-level responsibilities of Member States. The International Commission on Intervention and States Sovereignty (ICISS) was convened in 2000 as an ad hoc committee to attempt to answer a question by Secretary-General Kofi Annan: "if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica - to gross and systematic violations of human rights that offend every precept of our common humanity?"<sup>69,70</sup> The ICISS developed the phrase "responsibility to protect" as a development of the "right to intervene" that had been promoted by the African Union in Article 4(h) of its Constitutive Act.<sup>71,72</sup> From there, it would take four years until the international community continued work on R2P, adopting it as a core aspect of the outcome document of the 2005 World Summit.<sup>73</sup> R2P, as adopted, applied to the four atrocity crimes mentioned above (genocide, war crimes, crimes against humanity, and ethnic cleansing).<sup>74</sup> Should a state fail to uphold their responsibility, the international community would be justified and obligated to intervene and protect people in danger of those atrocities.<sup>75</sup>

The initial R2P framework would be further developed in 2009 by Secretary-General Ban Ki-Moon in the report *Implementing the Responsibility to Protect*.<sup>76</sup> In it, he described the pillars for the UN to use in approaching R2P. In short, Pillar One laid the primary responsibility to protect with individual states; Pillar Two emphasized the need for the international community to help states build capacity to prevent atrocity crimes; Pillar Three necessitated intervention from the international community should Pillars One and Two fail.<sup>77</sup> Debate as a result of this report led to significant agreement on the importance of regional coalitions to fulfilling R2P needs.<sup>78</sup>

<sup>&</sup>lt;sup>69</sup> International Commission on Intervention and State Sovereignty. "Report of the International Commission on Intervention and State Sovereignty." International Commission on Intervention and State Sovereignty. 2001.

<sup>&</sup>lt;sup>70</sup> Kofi Annan. "We the Peoples." United Nations Department of Public Information. 2000.

<sup>&</sup>lt;sup>71</sup> International Commission on Intervention and State Sovereignty. "Report of the International Commission on Intervention and State Sovereignty." 2001.

<sup>&</sup>lt;sup>72</sup> African Union. "Constitutive Act of the African Union." African Union. 2000.

 <sup>&</sup>lt;sup>73</sup> United Nations General Assembly. "2005 World Summit Outcome." United Nations. A/RES/60/1. 2005.
 <sup>74</sup> Ibid.

<sup>&</sup>lt;sup>75</sup> Ibid.

<sup>&</sup>lt;sup>76</sup> United Nations Secretariat. "Implementing the responsibility to protect – Report of the Secretary-General." United Nations. A/63/677. 2009.

<sup>77</sup> Ibid.

<sup>&</sup>lt;sup>78</sup> Global Centre for the Responsibility to Protect. "Implementing the Responsibility to Protect – The 2009 General Assembly Debate: An Assessment." Global Centre for the Responsibility to Protect. 2009.

Since the adoption of R2P, it has been invoked a number of times for both diplomatic and military interventions. Notable UN peacekeeping operations involving R2P include the United Nations Operation in Ivory Coast/United Nations Operations in Côte d'Ivoire, the UN Integrated Peacebuilding Office in the Central African Republic, and a Security Council-mandated police force in Burundi.<sup>79,80,81</sup>

Peacekeeping itself exists within the UN framework as a practical response to the needs of international peace and security.<sup>82</sup> However, there is no specific authorization for peacekeeping itself within the UN Charter.<sup>83</sup> Rationale for the existence of UN Peacekeeping stems from Chapter VII of the UN Charter, especially Article 42 therein, by which the Security Council has the authority to take action – including military – to "maintain or restore international peace and security."<sup>84</sup> The addition of localized objectives, especially those related to R2P principles, is an evolution of the earliest peacekeeping frameworks.

#### **Current Situation**

The primary representation of R2P in modern UN Peacekeeping is in language related to protection of civilians (POC). Six of the twelve current peacekeeping operations (PKOs) feature what is referred to as a POC mandate, a mandate that explicitly refers to POC within its authorizing resolution.<sup>85</sup> Importantly, when it incorporates POC into a PKO's mandate, the Security Council (UNSC) is authorizing the operation "to use all necessary means, up to and including deadly force, to protect civilians under threat or imminent threat of physical violence."<sup>86</sup> This should not be confused with either a "robust" mandate or robust peacekeeping, which authorizes force at the tactical level beyond typical authorization, or peace enforcement, which authorizes strategic and international military force and is "normally prohibited for Member States under Article 2(4) of the Charter, unless authorized by the Security Council."<sup>87</sup>

Current peacekeeping guidance policy does exist in tension with R2P. UN Peacekeeping is built around three basic principles, one of which is consent of the parties in a conflict.<sup>88</sup> While a POC mandate can help prevent atrocity crimes once an operation is deployed, it can be difficult for authorization to be approved in conflicts with a higher risk of said crimes.<sup>89</sup> In situations where the Security Council has not been able to mandate a PKO itself, R2P allows it to recognize and authorize operations from other multilateral actors. One example is the 2011 Libyan civil war, where the Security

<sup>83</sup> United Nations. "Charter of the United Nations." 1945.

<sup>&</sup>lt;sup>79</sup> United Nations Security Council. "Resolution 1975 (2011)." United Nations. S/RES/1975. 2011.

<sup>&</sup>lt;sup>80</sup> United Nations Security Council. "Resolution 2121 (2013)." United Nations. S/RES/2121. 2013.

<sup>&</sup>lt;sup>81</sup> Global Centre for the Responsibility to Protect. "Burundi." Global Centre for the Responsibility to Protect. 2022.

<sup>&</sup>lt;sup>82</sup> Richard Kaplan. "Peacekeeping / Peace Enforcement." Princeton University.

<sup>&</sup>lt;sup>84</sup> Ibid.

<sup>&</sup>lt;sup>85</sup> United Nations Department of Peacekeeping Operations. "The Protection of Civilians in United Nations Peacekeeping Handbook." United Nations. 2020.

<sup>&</sup>lt;sup>86</sup> Ibid.

 <sup>&</sup>lt;sup>87</sup> United Nations Department of Peacekeeping Operations. "Principles of Peacekeeping." United Nations.
 <sup>88</sup> Ibid.

<sup>&</sup>lt;sup>89</sup> Richard Kaplan. "Peacekeeping / Peace Enforcement." Princeton University.

Council imposed a series of international sanctions and authorized Member States to take "all necessary measures" in the interest of protecting civilians.<sup>90</sup> North Atlantic Treaty Organization (NATO) forces were mobilized under this authorization; however, concerns were raised about the NATO engagement moving beyond the R2P mandate.<sup>91</sup> Another example is in the Central African Republic after 2013, when the Security Council authorized peacekeepers from the African Union (AU) and France to engage in order to protect civilians.<sup>92</sup>

More recently, the UN General Assembly (UNGA) discussed R2P in a plenary session in June of 2022.<sup>93</sup> This session expanded on the informal dialogues and debates held across the prior 15 years and evaluated progress made toward achieving the goals of the *2005 World Summit Outcome Document (Outcome Document)*.<sup>94</sup> The Secretary-General's report on R2P focused especially on the implementation of R2P towards the protection of children and youth, one subset of vulnerable populations most at risk in conflicts.<sup>95</sup> The discussion also raised concerns about the effectiveness of the UNSC in meeting the obligations of the *Outcome Document*, bringing special attention to the ongoing crisis in Ukraine and the inability of the UN to respond when members of the UNSC threaten to veto.<sup>96</sup> UNSC resolutions that reference R2P frequently emphasize the primacy of individual countries' responsibility to protect their own civilians but decline to acknowledge the broader responsibility of the international community.<sup>97</sup>

A connecting thread between meeting R2P and peacekeeping goals that was brought up during the 2022 session was the importance of conflict prevention mechanisms.<sup>98</sup> Effective utilization of resources, such as civil society organizations for women in at-risk areas, can empower on-the-ground peacekeepers to anticipate and respond to heightened risks of atrocity crimes.<sup>99</sup> Sexual and gender based violence (SGBV) is often a component of all four of the R2P-identified atrocity crimes, and connecting trends in SGBV with other conflict factors plays a role in both prevention and protection for peacekeeping.<sup>100</sup>

#### Peacekeeper Accountability

 <sup>&</sup>lt;sup>90</sup> United Nations Security Council. "Resolution 1973 (2011)." United Nations. S/RES/1973. 2011.
 <sup>91</sup> International Coalition for the Responsibility to Protect. "The Crisis in Libya." International Coalition for the Responsibility to Protect. 2012.

<sup>&</sup>lt;sup>92</sup> United Nations Security Council. "Resolution 2127 (2013)." United Nations. S/RES/2127. 2013.

<sup>&</sup>lt;sup>93</sup> Global Centre for the Responsibility to Protect. "UN General Assembly Debate on the Responsibility to Protect, 2022." Global Centre for the Responsibility to Protect. 2022.

 <sup>&</sup>lt;sup>94</sup> Global Centre for the Responsibility to Protect. "Summary of the UN General Assembly Plenary
 Meeting on the Responsibility to Protect." Global Centre for the Responsibility to Protect. 2022.
 <sup>95</sup> United Nations Secretariat. "Responsibility to protect: prioritizing children and young people – Report of

the Secretary General." United Nations. A/76/844 - S/2022/428. 2022.

 <sup>&</sup>lt;sup>96</sup> Global Centre for the Responsibility to Protect. "Summary of the UN General Assembly Plenary Meeting on the Responsibility to Protect." Global Centre for the Responsibility to Protect. 2022.
 <sup>97</sup> Global Centre for the Responsibility to Protect. "UN Security Council Resolutions and Presidential Statement Referencing R2P." Global Centre for the Responsibility to Protect. 2023.

<sup>&</sup>lt;sup>98</sup> Ibid.

 <sup>&</sup>lt;sup>99</sup> United Nations Department of Peacekeeping Operations. "Prevention." United Nations.
 <sup>100</sup> Ibid.

In the discussion of R2P and peacekeeping, it must be noted that UN Peacekeeping has long been marred by peacekeepers who engage in crimes against the communities they are stationed in.<sup>101</sup> Peacekeepers cannot be trusted to uphold R2P if they cannot be held accountable for crimes they commit while deployed.<sup>102</sup> Secretary-General Guterres instituted the Action for Peacekeeping (A4P) initiative in 2018, aimed at reaffirming the principles behind UN Peacekeeping and endorse the responsibilities of peacekeeping stakeholders across the board.<sup>103</sup> A4P features a *Declaration of Shared Commitments (Declaration)* which identifies eight priority commitment areas, which together work to align peacekeeping standards with the obligations of the international community, including R2P.<sup>104</sup>

Later that year, Secretary-General Guterres convened a high-level meeting on A4P to more broadly discuss the *Declaration* and roadblocks to peacekeeping reform.<sup>105</sup> That high-level meeting further developed ideas from five prior thematic consultations identifying peacebuilding, performance, people, partnerships, and politics as areas of focus for reform discussion.<sup>106</sup> These elements of the A4P discussion form the core of modern peacekeeping priorities and reform objectives.

#### **Future Outlook**

Just as the shape of conflict has evolved since the adoption of the *UN Charter*, so has the structure of UN Peacekeeping. The conception of R2P and its intersection with the needs of PKOs has presented new challenges for the UN in its goal of achieving international peace and security. The international community continues to debate the degree to which traditional norms of international governance – such as the supremacy of sovereignty – must change in the face of new norms of international responsibility.<sup>107</sup> As the UN approaches 20 years since the adoption of R2P, it will continue to explore how this relatively new idea interacts with its continued revision of UN Peacekeeping.

<sup>&</sup>lt;sup>101</sup> Allred, K. J. (2006). Peacekeepers and Prostitutes: How Deployed Forces Fuel the Demand for Trafficked Women and New Hope for Stopping It. *Armed Forces & Society*, *33*(1), 5-23.

<sup>&</sup>lt;sup>102</sup> Jordan, Michael J. "Sex charges haunt UN forces." Christian Science Monitor. 2004.

<sup>&</sup>lt;sup>103</sup> United Nations Department of Peacekeeping Operations. "Action For Peacekeeping (A4P)." United Nations.

<sup>&</sup>lt;sup>104</sup> United Nations Department of Peacekeeping Operations. "Action For Peacekeeping – Declaration of Shared Commitments on UN Peacekeeping Operations." United Nations. 2018.

<sup>&</sup>lt;sup>105</sup> United Nations Department of Peacekeeping Operations. "GA73 High-Level Meeting on Action for Peacekeeping." United Nations. 2018.

<sup>&</sup>lt;sup>106</sup> United Nations Department of Peacekeeping Operations. "Action For Peacekeeping (A4P)." United Nations.

<sup>&</sup>lt;sup>107</sup> Global Centre for the Responsibility to Protect. "UN General Assembly Debate on the Responsibility to Protect, 2022." Global Centre for the Responsibility to Protect. 2022.

# Focus Questions

- How does UN Peacekeeping currently work towards R2P?
- To what degree should R2P be referenced in peacekeeping mandates?
- What has your Member State said in discussions of R2P or peacekeeping reform?
- How has your Member State aligned in discussions of Security Council reform?

#### **Bibliography**

African Union. "Constitutive Act of the African Union." African Union. 2000. <u>https://au.int/sites/default/files/pages/34873-file-constitutiveact\_en.pdf</u>

Allred, K. J. (2006). Peacekeepers and Prostitutes: How Deployed Forces Fuel the Demand for Trafficked Women and New Hope for Stopping It. *Armed Forces & Society*, *33*(1), 5-23. <u>https://doi.org/10.1177/0095327X06288803</u>

Global Centre for the Responsibility to Protect. "Burundi." Global Centre for the Responsibility to Protect. 2022. <u>https://www.globalr2p.org/countries/burundi/</u>

Global Centre for the Responsibility to Protect. "Implementing the Responsibility to Protect – The 2009 General Assembly Debate: An Assessment." Global Centre for the Responsibility to Protect. 2009. <u>https://www.globalr2p.org/wp-content/uploads/2020/01/2009-UNGA-Debate-Summary.pdf</u>

Global Centre for the Responsibility to Protect. "Improving Peacekeeping and Civilian Protection." Global Centre for the Responsibility to Protect. <u>https://www.globalr2p.org/improving-peacekeeping-and-civilian-protection/</u>

Global Centre for the Responsibility to Protect. "Summary of the UN General Assembly Plenary Meeting on the Responsibility to Protect." Global Centre for the Responsibility to Protect. 2022. <u>https://www.globalr2p.org/publications/summary-2022-r2p-debate/</u>

Global Centre for the Responsibility to Protect. "UN General Assembly and R2P." Global Centre for the Responsibility to Protect. <u>https://www.globalr2p.org/un-general-assembly-and-r2p/</u>

Global Centre for the Responsibility to Protect. "UN General Assembly Debate on the Responsibility to Protect, 2022." Global Centre for the Responsibility to Protect. 2022. <u>https://www.globalr2p.org/resources/2022-r2p-debate/</u>

Global Centre for the Responsibility to Protect. "UN Security Council Resolutions and Presidential Statement Referencing R2P." Global Centre for the Responsibility to Protect. 2023. <u>https://www.globalr2p.org/resources/un-security-council-resolutions-and-presidential-statements-referencing-r2p/</u>

Global Centre for the Responsibility to Protect. "What is R2P?" Global Centre for the Responsibility to Protect. <u>https://www.globalr2p.org/what-is-r2p/</u>

International Coalition for the Responsibility to Protect. "The Crisis in Libya." International Coalition for the Responsibility to Protect. 2012. <u>https://web.archive.org/web/20140203082925/http://www.responsibilitytoprotect.org/ind</u> <u>ex.php/crises/crisis-in-libya#violence</u> International Commission on Intervention and State Sovereignty. "Report of the International Commission on Intervention and State Sovereignty." International Commission on Intervention and State Sovereignty. 2001. <u>https://web.archive.org/web/20050914093553/http://www.iciss.ca/pdf/Commission-Report.pdf</u>

Jordan, Michael J. "Sex charges haunt UN forces." Christian Science Monitor. 2004. <u>https://www.csmonitor.com/2004/1126/p06s02-wogi.html</u>

Kofi Annan. "We the Peoples." United Nations Department of Public Information. 2000. <u>https://digitallibrary.un.org/record/413745?In=en</u>

Richard Kaplan. "Peacekeeping / Peace Enforcement." Princeton University. https://pesd.princeton.edu/node/561

United Nations General Assembly. "2005 World Summit Outcome." United Nations. 2005. <u>https://documents-dds-</u>ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement

United Nations. "Charter of the United Nations." United Nations Department of Public Information. 1945. <u>https://www.un.org/en/about-us/un-charter/full-text</u>

United Nations Department of Peacekeeping Operations. "Action For Peacekeeping (A4P)." United Nations. <u>https://peacekeeping.un.org/en/action-for-peacekeeping-a4p</u>

United Nations Department of Peacekeeping Operations. "Action For Peacekeeping – Declaration of Shared Commitments on UN Peacekeeping Operations." United Nations. 2018. <u>https://peacekeeping.un.org/sites/default/files/a4p-declaration-en.pdf</u>

United Nations Department of Peacekeeping Operations. "GA73 High-Level Meeting on Action for Peacekeeping." United Nations. 2018. <u>https://peacekeeping.un.org/en/ga73-high-level-meeting-action-peacekeeping</u>

United Nations Department of Peacekeeping Operations. "Prevention." United Nations. <u>https://peacekeeping.un.org/sites/default/files/dpko\_pages\_edited\_0.pdf</u>

United Nations Department of Peacekeeping Operations. "Principles of Peacekeeping." United Nations. <u>https://peacekeeping.un.org/en/principles-of-peacekeeping</u>

United Nations Department of Peacekeeping Operations. "The Protection of Civilians in United Nations Peacekeeping Handbook." United Nations. 2020. https://peacekeeping.un.org/sites/default/files/dpo\_poc\_handbook\_final\_as\_printed.pdf

United Nations Secretariat. "Implementing the responsibility to protect – Report of the Secretary-General." United Nations. A/63/677. 2009. https://www.un.org/unispal/document/auto-insert-180580/ United Nations Secretariat. "Responsibility to protect: prioritizing children and young people – Report of the Secretary General." United Nations. A/76/844 – S/2022/428. 2022. <u>https://documents-dds-</u>

ny.un.org/doc/UNDOC/GEN/N22/361/67/PDF/N2236167.pdf?OpenElement

United Nations Security Council. "Resolution 1973 (2011)." United Nations. S/RES/1973. 2011. <u>https://documents-dds-</u> ny.un.org/doc/UNDOC/GEN/N11/268/39/PDF/N1126839.pdf?OpenElement

United Nations Security Council. "Resolution 1975 (2011)." United Nations. S/RES/1975. 2011. <u>https://documents-dds-</u> ny.un.org/doc/UNDOC/GEN/N11/284/76/PDF/N1128476.pdf?OpenElement

United Nations Security Council. "Resolution 2121 (2013)." United Nations. S/RES/2121. 2013. <u>https://documents-dds-</u> ny.un.org/doc/UNDOC/GEN/N13/508/38/PDF/N1350838.pdf?OpenElement

United Nations Security Council. "Resolution 2127 (2013)." United Nations. S/RES/2127. 2013. <u>https://documents-dds-</u>ny.un.org/doc/UNDOC/GEN/N13/594/43/PDF/N1359443.pdf?OpenElement