EuroMUN 2017 UNSC Study Guide

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Introduction

Distinguished Delegates,

It is our pleasure to welcome you to the United Nations Security Council High-level summit at EuroMUN 2017.

As our committee will discuss matters which very may well shape the legacy of the United Nations, we are pleased to welcome the heads of state of the member states of the United Nations Security Council. We will be discussing the future of peacekeeping and the responsibility to protect. As both are very complex matters, we have created this extensive study guide to become more familiar with the topics at hand. We also included suggestions for further reading – we strongly encourage you to investigate the issues at hand beyond the study guide to get the most out of this conference.

If you have any questions, please don't hesitate to contact us. We look forward to great discussions.

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Topic A: The Future of Peacekeeping

Introduction

Peacekeeping has been one of the core activities of the United Nations since the first mission in 1948. In total, there have been 63 missions, of which 17 are currently still active. Peacekeeping operations have varied wildly over their almost 70-year existence, and varied from establishing peace in international conflicts to assisting nations in the decolonization process.[1]

Following the end of the Cold War the world saw a dramatic rise in peacekeeping operations, as the world was less divided into camps, making it easier for the United Nations Security Council to authorize peacekeeping missions when needed. In the 1990s, UN Peacekeeping forces were deployed to Kuwait, Libya, Ethiopia and Eritrea to exercise self-defense in international conflicts.[2]

More importantly, the UNSC authorized missions to prevent genocide and ethnic cleansing in the former Yugoslav republics, and Rwanda, and to settle civil wars in Somalia, Liberia and Haiti among others. Some of these missions are well-known, but not because of their success: the UNPROFOR[3] mission in Bosnia and UNAMIR[4] in Rwanda were unable to do their job leading to genocide.

Since then, the UN has worked towards reducing the chances of such occurrences. This has meant that the mandates of missions have been substantially increased and cover more than before: various UN missions are no longer not only authorized to defend themselves, but also to defend their mandate. This authorizes missions to for example to take actions against groups that are obstructing a peace process, if ensuring the continuation of a peace process is within a

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[1]	Macqueen, N. (2014). United Nations Peacekeeping in Africa Since 1960. Retrieved January 18, 2017, from
https://books.google.nl/books?id=wcAeBAAAQBAJ&pg=PA105&lpg=PA105&dq=un%2Bpeacekeeping%2Bdecolonization&source=bl&ots=CLa1Vj6sOJ&sig=4p4KtG27LTkD5dRQXkfEIUPBAQg&hl=en&sa=X&ved=0ahUKEwjs-Z_JzNbRAhWJDcAKHYcyAbMQ6AEIPTAG#v=onepage&q=un%20peacekeeping%20decolonization&f=false

[2]	United Nations. (n.d.). History of peacekeeping - Post Cold-War surge. United Nations Peacekeeping. Retrieved January 18, 2017, from
http://www.un.org/en/peacekeeping/operations/surge.shtml

[3]	United Nations. (n.d.). UNPROFOR. Retrieved January 18, 2017, from
http://www.un.org/en/peacekeeping/missions/past/unprof_p.htm

[4]	United Nations. (n.d.). UNAMIR. Retrieved January 18, 2017, from
http://www.un.org/en/peacekeeping/missions/past/unamir.htm

mission's mandate. This new approach, known as 'robust peacekeeping'[5] or 'proactive peacekeeping' has gathered support in the international community, but is not without its flaws.

This United Nations Security Council High-Level summit has gathered to discuss how peacekeeping can become more effective, and how the now-known downsides of the current approach can be addressed properly. We look forward to a fruitful discussion.

History of Peacekeeping

The history of peacekeeping in general is a far too extensive topic to cover properly in this study guide. Nonetheless, we would like to provide you with a brief overview of two missions that were catalysts for how we know peacekeeping today.

- **United Nations Assistance Mission in Rwanda (UNAMIR)**
  UNAMIR was established by the United Nations Security Council Resolution 872[6] on 5 October 1993. Aimed at supporting the peace process following the Arusha Accords, the force was meant to ensure that the Rwandese majority-Hutu government and the Tutsi rebels (RPF) would eventually create lasting peace by establishing a power-sharing government. The limitations put on the mission however meant that the mission could not prevent the new outbreak of fighting and eventually the Rwandan Genocide[7].

  In this context, UNAMIR was commissioned by the UNSC to ensure the security of Kigali, to monitor the ceasefire agreement, to monitor security in the final phase of transition, and leading towards elections, assist with mine clearance, and to investigate any possible non-compliance. The mandate further included to coordinate humanitarian assistance and to investigate incidents with the police.[8] The mandate did not authorize UNAMIR to take pre-emptive action again possible threats. Within a couple of months, the force reached its aimed 2500 personnel target, with contributions from Belgium, Bangladesh, Ghana and Tunisia. [9]

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[5]   Principles of UN peacekeeping. United Nations Peacekeeping. (n.d.). Retrieved January 18, 2017, from http://www.un.org/en/peacekeeping/operations/principles.shtml

[6]   United Nations. (1993). Resolution 872. Retrieved January 18, 2017, from http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/872%20(1993)&Lang=E&Area=UNDOC

[7]   Media, N. (1999). UN Failed Rwanda. Retrieved January 18, 2017, from https://www.globalpolicy.org/component/content/article/201/39240.html

[8]   UN Resolution 872.

[9]   UN R Dallaire, R. (2004). Moral Dilemmas and Peacekeeping: Lessons from Rwanda. Retrieved January 19, 2017, from

In January 1994, the head of the mission, Romeo Dallaire was alerted of ongoing militarization of rebels known as the Hutu Power Movement. Other red flags for the mission leadership included the registration of Tutsi's in Kigali. UNAMIR, strained by limited resources, obstructed by the Hutu government, and the repeated refusal of requests of UNAMIR to the UN Headquarters to exceed the mandate of the mission left UNAMIR in a position where the UNSC was threatening to end the mission if no progress was made in implementing the new government. [10]

After the death of president Habyarimana of Rwanda, Dallaire tried to increase the number of troops, but this was repeatedly refused, even as the mass killing of Tutsi's got under way. After the death of 10 Belgian soldiers, Belgian withdrew from the force. UNAMIR was left doing what it could to save the Tutsi's from the unfolding genocide. The peacekeeping force became a passive witness to one of the largest genocide's in human history, and all they could do was stand by and watch.[11]

- **United Nations Protection Force (UNPROFOR) – Yugoslavia**

UNPROFOR was a far larger mission than UNAMIR, at 39,000 strong. That said, the mission also had a far larger area to cover compared to UNAMIR. Initially created to ensure the continuation of peace talks in Croatia during the war of independence, the mission would soon cover Bosnia and Herzegovina as well, with a vastly different mandate.

In Bosnia and Herzegovina, UNPROFOR was tasked with protecting Sarajevo, escorting humanitarian aid, protect safe areas such as Srebrenica, and monitoring the Muslim-Croat Federation.

On 12 July 1995, Bosnian Serbs overran the Srebrenica safe area, leading to the death of thousands of Muslims. UNPROFOR, which only had a lightly-armed Dutch battalion on the ground and was unable to provide air support, could do very little in an area where the United Nations had previously guaranteed safety[12]. Similarly to UNAMIR, UNPROFOR

https://www.fhs.se/Documents/Externwebben/nyheter/2008/Moral%20Dilemma%20Peacekeeping.pdfesolution 872.

[10]   Daillaire

[11]   Human Rights Watch (1999). Ignoring Genocide (HRW Report - Leave None to Tell the Story: Genocide in Rwanda, March 1999). (1990). Retrieved January 19, 2017, from https://www.hrw.org/reports/1999/rwanda/Geno15-8-01.htm

[12]   Ashton, B. (1997) Making Peace Agreements Work: United Nations Experience in the Former Yugoslavia. Retrieved January 22, 2017 from

lacked crucial resources and its mandate limited the mission from taking actions against actors that could be a threat to their mandate[13]. Subsequently, UNPROFOR was unable to do the job it was meant to do, leading to the deaths of thousands also significantly damaged the trust in the United Nations.

Please note that the above is a by no means complete summary of UNPROFOR's actions. The complexity of the breakup of Yugoslavia is beyond the scope of this study guide. Those interested are recommended to have a look at this video[14]. In addition, the Australian Parliamentary Library has an excellent summary available.[15]

Current trends in Peacekeeping

Robust Peacekeeping

Over the last decades, UN peacekeeping missions have increasingly dealt with intra-state conflicts. Applying the traditional (pre-) Cold War blueprint proved in some cases disastrous as outlined in the examples above.

Following the atrocities committed in Srebrenica and Yugoslavia, the UN commissioned the Brahimi Report[16], which was presented in 2000. The report introduced the term 'robust peacekeeping' into the UN lexicon, and redefined impartiality in regards to adherence to the UN charter, and noted that equal treatment of violators of peace agreements could lead to a further deterioration of stability and could "in the worst caste amount to complicity with evil"[17]

http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1417&context=cilj

[13]   Ashton, B.

[14]   WonderWhy. (2016, April 30). The Breakup of Yugoslavia. Retrieved January 19, 2017, from https://www.youtube.com/watch?v=oiSgAiM0d8A

[15]   Parliamentary Research Service of Australia. (1996). The Collapse of Yugoslava: Background and Summary. Retrieved January 19, 2017, from https://www.aph.gov.au/binaries/library/pubs/rp/1995-96/96rp14.pdf

[16]   United Nations. (2000). Brahimi Report. Retrieved January 19, 2017, from http://www.un.org/en/events/pastevents/brahimi_report.shtml

[17]   United Nations. (2000). Report of the Panel on United Nations Peace Operations - Executive Summary. Retrieved January 19, 2017, from http://www.un.org/en/events/pastevents/pdfs/Brahimi_Report_Exec_Summary.pdf

Since then, robust peacekeeping has been gaining ground in the international community. Jean-Marie Guéhenno, former Under-Secretary-General for Peacekeeping operations from 2000 till 2008, was a very strong supporter of this concept.[18] In practice, robust peacekeeping entails using force against actors that obstruct the peace process – this is especially important where the actors in a conflict are non-state actors. These are viewed by the UN as far more likely to not "keep their word" compared to state actors.[19] This places peacekeeping missions in a position where no longer rely on mutual consent of all parties involved in a conflict.

"contemporary peacekeepers are expected to make judgments about who is right and who is wrong and to punish perpetrators of violence irrespective of whether the individual or group has given their consent for the mission. That's a very significant change."[20]

Robust peacekeeping is very much interlinked with the Responsibility to Protect (R2P).[21]However, the main priority of the doctrine is to provide missions with sufficient resources to enable the freedom of action and take control of the situation in a conflict if it deems it necessary.[22]

Issues

Robust peacekeeping however has not been without its issues. There is a fine line between what could be considered appropriate and inappropriate intervention, the latter possibly lead into the UN peacekeeping force becoming an additional party in the conflict.[23] This has made peacekeeping forces more of target, and the human cost has been great: between 2008 and 2015,

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[18]   The European Institute. (2006). A Conversation with Jean-Marie Guéhenno. Retrieved January 22, 2017, from https://www.europeaninstitute.org/index.php/38-european-affairs/springsummer-2006/135-contemporary-peacekeeping-is-state-building-the-un-embraces-robust-peacekeeping-including-use-of-force

[19]   The European Institute. (2006).

[20]   Paddon Rhoads, E., Stearns, J., & Novosseloff, A. (2016). Emily Paddon Rhoads: "Taking Sides": The Challenges of Impartiality in UN Peacekeeping Operations | Global Peace Operations Review. Retrieved January 22, 2017, from http://peaceoperationsreview.org/interviews/emily-paddon-rhoads-taking-sides-the-challenges-of-impartiality-in-un-peacekeeping-operations/

[21]   Sartre, P. (2011). Making UN Peacekeeping More Robust: Protecting the Mission, Persuading the Actors. Retrieved January 19, 2017, from https://www.ipinst.org/wp-content/uploads/publications/ipi_epub_robustpeacekeeping.pdf

[22]   Sartre , P. (2011)

[23]   Dewan, S., & Vermeij, L. (2014). Indian Perspectives on the Use of Force and the Growing Robustness of UN Peacekeeping. Retrieved January 19, 2017, from https://www.files.ethz.ch/isn/183301/NUPI%20Policy%20Brief-8-Dewan-Vermeij.pdf

more peacekeeping operations have cost the lives of more than 100 peacekeepers every year[24], with a peak of 173 lives lost in 2010.[25]

The move towards more aggressive peacekeeping is also not supported by everyone – the United States, a strong proponent of this approach, has found that major suppliers of peacekeeping forces such as India are not willing to expose their forces to the inherit greater risk associated with this approach.[26] Missions, such as UNAMID in Darfur and UNAMISS in South Sudan had trouble standing up to government forces when it was necessary.[27] (more needed here)

Some of the issues are caused by disagreement with the concept of robust peacekeeping by some of the largest suppliers of peacekeeping forces, such as India[28]Mali [29]Bangladesh [30]South Asian Countries [31] South Sudan [32]

The humanitarian side of missions has also not always benefitted from the robust peacekeeping concept – In Congo and other countries, NGO's have experienced trouble distancing themselves from the actions of the United Nations, particularly when areas were being cleared of rebel action.[33] Further issues arise when not all parties are treated equally as propagated by this doctrine – this means that the UN is not always talking with all parties involved, leaving it up to

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[24] Van der Lijn, J., & Smit, T. (2015). Peacekeepers under threat? Fatality trends in UN Peacekeeping Operations. Retrieved January 19, 2017, from https://www.sipri.org/sites/default/files/files/misc/SIPRIPB1509.pdf

[25] United Nations. (2016). United Nations Peacekeeping Fatalities. Retrieved January 19, 2017, from http://www.un.org/en/peacekeeping/fatalities/documents/stats_1nov.pdf

[26] McGreal, C. (2015). What's the point of peacekeepers when they don't keep the peace? Retrieved January 20, 2017, from https://www.theguardian.com/world/2015/sep/17/un-united-nations-peacekeepers-rwanda-bosnia

[27] Haysom, S., & Pedersen, J. (2015). Robust peacekeeping in Africa: the challenge for humanitarians. Retrieved January 20, 2017, from http://odihpn.org/magazine/robust-peacekeeping-in-africa-the-challenge-for-humanitarians/

[28] Dewan, S., & Vermeij, L. (2014).

[29] Van der Lijn, J., & Smit, T. (2015).

[30] http://www.ozy.com/acumen/why-1-small-nation-plays-a-major-role-in-peacekeeping/62085

[31] http://www.dw.com/en/what-drives-south-asians-to-peacekeeping/a-18970732

[32] http://www.gppi.net/publications/rising-powers/article/modernizing-indias-approach-to-peacekeeping-the-case-of-south-sudan/

[33] Haysom, S., & Pedersen, J. (2015).

the humanitarians to establish contact with these parties independently, on top of the challenges NGO's already face operating in these environments.[34]

Experience on the Ground

The fate of new 'robust' mission has also not always been positive.[35] MONUSCO, the UN mission active in the Democratic Republic of the Congo, was initially not able to establish peace, despite its mandate. This led to the authorization of a United Nations intervention brigade through UN Security Council resolution 2098[36], which aimed to neutralize and disarm armed rebel groups in the country. Many worried about the vulnerability of the civil parts of the mission because of this more aggressive approach.[37]

The result of the intervention brigade have also not been particularly overwhelming. In 2016, the mandate of the mission was extended for the third time.[38] Composed of troops from South Africa, Tanzania and Malawi[39], the troops defeated M23, Congo's largest rebel group only 3 months after their arrival in 2013. However, beyond that there has been not much success, which is largely the result of politics. M23 is widely believed to be receiving backing or at least protection from Rwanda[40], which has strained relations with the two main suppliers of the intervention brigade, South Africa and Tanzania. These nations are at the same time a strong ally of DR Congo president Joseph Kabila.[41] The Intervention Brigade therefore currently serves an

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[34]   Haysom, S., & Pedersen, J. (2015).

[35]   Nadin, P. (2013). Peace Support: A New Concept for UN Peacekeeping? Retrieved January 22, 2017, from http://unu.edu/publications/articles/peace-support-a-new-concept-for-un-peacekeeping.html

[36]   United Nations. (2013). United Nations Security Council Resolution 2098. Retrieved January 20, 2017, from http://www.un.org/en/ga/search/view_doc.asp?symbol=S%2FRES%2F2098%282013%29

[37]   Cammaert, P. (2013). Issue Brief: The UN Intervention Brigade in the Democratic Republic of the Congo. Retrieved January 20, 2017, from https://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_un_intervention_brigade_rev.pdf

[38]   Tull, D. M. (2016). United Nations Peacekeeping and the Use of Force. . Retrieved January 20, 2017, from https://www.swp-berlin.org/fileadmin/contents/products/comments/2016C20_tll.pdf

[39]   MONUSCO. (2013). Last batch of Tanzanian troops now in Goma for the Force Intervention Brigade. Retrieved January 21, 2017, from http://monusco.unmissions.org/node/100042930

[40]   BBC News. (2014). Rwanda 'protecting M23 DR Congo rebels' Retrieved January 21, 2017, from http://www.bbc.com/news/world-africa-27714346

[41]   Tull, D. M. (2016)., Page 2

example as to how more robust and aggressive peacekeeping leads very quickly to more diverging interests from the actors involved.[42]

2015 Report on Peace Operations

In 2015, then Secretary General of the UN Ban Ki-Moon released his report on peace operations[43] (note that there is a distinction between peace and peacekeeping operations, the former also including non-peacekeeping operations such as the activities of the UN in Syria excluding UNDOF), which outlined how the UN's operations could evolve in the future. The report was in response to the trifold increase in conflicts worldwide since 2008.[44] With the current rate of conflicts, the UN simply does not have the resources to be everywhere in force.

The report had 3 main recommendations, the first being more focused on preventing and increasing mediation. This includes introducing stronger global-regional partnerships (i.e. stronger cooperation between the UN and the African Union), and make the planning of missions faster to be able to respond quicker on the ground[45]. The report furthermore recommends the establishment of a global-regional framework to improve conflict analysis as well as better responds to the dynamics of the region in case a conflict arises. [46]

With this report, the Secretary General tried to point the evolvement of the peacekeeping doctrine in new directions to make sure that peace(keeping) operations yield better results on the ground. This is still very much a work in progress, and the UN is currently taking its first steps towards better peacekeeping.

Conclusion

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[42]   Tull, D. M. (2016), Page 4

[43]   Ki-Moon, B. (2015). The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations. Retrieved January 21, 2017, from https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/270/74/PDF/N1527074.pdf?OpenElement

[44]   Ki-Moon, B. (2015). page 1.

[45]   Ki-Moon, B. (2015). page 3.

[46]   Ki-Moon, B. (2015). page 10.

The current doctrines behind peacekeeping have not been yielding the best of results. Some of this can be attributed to theory simply not being particularly successful in practice – others issues can be attributed to the ever-evolving way conflicts are fought and new technology presenting new challenges to peacekeeping that simply were not there before.

As the United Nations Security Council high-level summit, it is your job to line out the objectives of future peacekeeping missions. We look forward to fruitful debates.

Questions to consider.

- How does your country view the current approach to peacekeeping? Does it believe that there are improvements to be made?
- What lessons can be learned from the issues encountered with for example the intervention brigade of MONUSCO?
- How can the United Nations and its Security Council benefit from global-regional partnerships?
- Should the United Nations embrace new technology such as drones on a wider scale, or does this present a threat to the neutrality of the missions?
- Should the United Nations further expand its peacekeeping operations?

Recommendations for further reading

- United Nations principles of Peacekeeping:
  http://www.un.org/en/peacekeeping/operations/principles.shtml
- Ki-Moon, B. (2015). The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations.
  https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/270/74/PDF/N1527074.pdf?OpenElement
- UNU-MERIT series on the challenges of peacekeeping: http://www.merit.unu.edu/peacekeeping-challenges/

Topic B: The Responsibility to Protect in Yemen

Introduction

 'Mass atrocities cannot be universally ignored and sovereignty is not a licence to kill!' – Gareth Evans[47]

The doctrine of The Responsibility to Protect - commonly known as R2P, or RtoP – is a complex doctrine which has been extensively studied by International lawyers, and political enthusiasts. This doctrine has established an International obligation of states to protect not only their own population, but the population of other states from crimes against humanity, mass genocide, or other such atrocious systematic crimes.[48]

The Responsibility to Protect doctrine has established there are three pillars of International and national responsibility.

The **First Pillar** states that: **'Every state has the Responsibility to Protect its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing.'[49]**

The **Second Pillar** reads as following: **'The wider international community has the responsibility to encourage and assist individual states in meeting that responsibility.'[50]**

The **Third Pillar** dictates: **'If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter.'[51]**

The first appearance of this doctrine, in a practical sense, dates back to the year 2001, in a report of the 'International Commission on Intervention and State Sovereignty'[52]. Later on, in 2005, the principles   formulated   in   this   report   were   enlarged,   and   affirmed

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[47]   Evans, Gareth J. The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All. Washington, D.C.: Brookings Institution, 2008. Print.

48   Background Information on the Responsibility to Protect. (n.d.). Retrieved March 04, 2017, from http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml

[49]   Implementing the re sponsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

50   Implementing the re sponsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

[51]   Implementing the re sponsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

[52]   Report of the International Commission on Intervention and State Sovereignty. (2001, December). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/ICISS%20Report.pdf

in paragraphs **138**, **139,** and **140** of the World Summit Outcome Document by the United Nations General Assembly.[53] This, was a remarkable step in the recognition and endorsement of this doctrine, which received in 2009 a more practical approach.

The Secretary General of the UN released, in 2009, a report regarding the implementation of this doctrine.[54] After this, the General Assembly held a debate regarding the Responsibility to Protect for the first time, out of which the states agreed by a staggering majority to re-state their commitment to the doctrine of The Responsibility to Protect, and passed A/RES/63/308.[55]

History of The Responsibility to Protect

'The sovereignty of States must no longer be used as a shield for gross violations of human rights.'-Ex UN Secretary General Kofi Annan[56]

Key Dates for the Responsibility to Protect

1990s' Emergence of The Responsibility to Protect

The doctrine of The Responsibility to Protect emerged in the early 90's as a response to the Rwandan Genocide of 1994, and the massacre in Srebrenica of 1995.[57]

In the year 2000, Kofi Annan – exercising his capacity of Secretary General of the United Nations – wrote his Millennium report[58], in which he posed a pivotal question which would lead to various controversial debates, and most importantly to the development of this highly disputed doctrine.

'If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend

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[53]   Resolution adopted by the General Assembly [without reference to a Main Committee (A/60/L.1)] 60/1. 2005 World Summit Outcome . (2005, October 24). Retrieved March 05, 2017, from http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf

[54]   Implementing the re sponsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

[55]   Resolution adopted by the General Assembly [without reference to a Main Committee (A/ 6 3 / L.80/Rev.1 and Add.1)] 63/308. The responsibility to protect. (2009, October 07). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/Resolution%20RtoP%283%29.pdf

[56]   Sommaruga , C. (2014, April 28). The Responsibility to Protect Reflections by a member of the ICISS. Retrieved March 07, 2017, from http://www.gichd.org/fileadmin/GICHD/about-us/SOC-statements/SOC-140428-Responsibility-to-Protect.pdf

[57]   Background Information on the Responsibility to Protect. (n.d.). Retrieved March 04, 2017, from http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml

[58]   We the peoples: the role of the United Nations in the twenty-first century. (2000, March 27). Retrieved March 05, 2017, from http://www.un.org/en/ga/search/view_doc.asp?symbol=A/54/2000

every precept of our common humanity?' – Kofi Annan Ex- Secretary General of the United Nations, Millennium Report 2000[59]

2001 The International Commission on Intervention and State Sovereignty released a report titled 'The Responsibility to Protect'

On 2000, the International Commission on Intervention and State Sovereignty (hereinafter referred to as ICISS) was set up in order to answer the previously posed question of the Secretary General.[60]

In 2001, the ICISS published its report which titled 'The Responsibility to Protect', in which the classical concept of sovereignty was acknowledged, but it was also enlarged. In this report it was states that the states had the responsibility to protect its population from gross violations of human rights.[61]

The most important aspect regarding the ICISS report was the fact that it was states that in circumstances where states were 'unable or unwilling'[62] to safeguard their own population, then the International community has the obligation to respond.[63]

Of course this intervention must take into account certain factors in order to be legitimate.[64]

2005 Outcome Document of the World Summit

On the World Summit which occurred in 2005, being famous for being the summit to which the largest amount of heads of government convened in, it was decided to finally adopt the doctrine of The Responsibility to Protect.[65]

Even though the document adopted in this summit was based on the guidelines of the ICISS report, a very flagrant difference was the fact that the doctrine would not apply to all human right

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[59] Annan, K. A. (2017). We the peoples: the role of the United Nations in the twenty-first century. Retrieved March 04, 2017, from http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf

60 Report of the International Commission on Intervention and State Sovereignty. (2001, December). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/ICISS%20Report.pdf

[61] Report of the International Commission on Intervention and State Sovereignty. (2001, December). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/ICISS%20Report.pdf

62 Report of the International Commission on Intervention and State Sovereignty. (2001, December). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/ICISS%20Report.pdf

63 Report of the International Commission on Intervention and State Sovereignty. (2001, December). Retrieved March 02, 2017, from http://responsibilitytoprotect.org/ICISS%20Report.pdf

[64] Evans, G (2006). "From Humanitarian Intervention to the Responsibility to Protect". *Wisconsin International Law Journal*. **3** (2): 710.

65 2005 World Summit Outcome. (2005, September 15). Retrieved March 01, 2017, from http://www.who.int/hiv/universalaccess2010/worldsummit.pdf

violations regarding populations.[66] The Responsibility to Protect would be limited to protecting populations from genocide, crimes against humanity, war crimes, and ethnic cleansing.[67]Moreover, the UN Security Council would be the only body allowed to authorize such interventions in the name of The Responsibility to Protect.[68]

The classical factor of sovereignty can be broken if people face the crimes stated above. But steps must be taken first, for example diplomatic measures in order to prevent further violations.[69] If by these measures nothing is achieved, then the International community must act together in order to prevent further Human rights violations. It is pivotal that the Security Council works on these matters *in casu*[70].

2009 Secretary General's report titled 'Implementing the Responsibility to Protect'

On 2009, the former Secretary General of the United Nations Ban Ki-moon published a report titled 'Implementing the Responsibility to Protect'.[71]

The Secretary-General's report turned the concept into policy, and gave it the practical approach it was missing. This report also proposed the famous three-pillar structure of The Responsibility to Protect.[72]

The Responsibility to Protect in Yemen

Yemen has a long history of internal conflicts. In 2014, the country faced a new insurgency led by Houthi rebels, who took over the capital Sanaa to demand a new government. Following the resignation of president Hadi, Saudi Arabia and other Gulf nations launched an air strike campaign against the Houthi rebellion, because they believe its their responsibility to protect the

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66   2005 World Summit Outcome. (2005, September 15). Retrieved March 01, 2017, from http://www.who.int/hiv/universalaccess2010/worldsummit.pdf

67   2005 World Summit Outcome. (2005, September 15). Retrieved March 01, 2017, from http://www.who.int/hiv/universalaccess2010/worldsummit.pdf

68   2005 World Summit Outcome. (2005, September 15). Retrieved March 01, 2017, from http://www.who.int/hiv/universalaccess2010/worldsummit.pdf

69   D. (2014, March). The Responsibility to Protect . Retrieved March 01, 2017, from http://www.un.org/en/preventgenocide/rwanda/pdf/Backgrounder%20R2P%202014.pdf

70   D. (2014, March). The Responsibility to Protect . Retrieved March 01, 2017, from http://www.un.org/en/preventgenocide/rwanda/pdf/Backgrounder%20R2P%202014.pdf

71   Implementing the responsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

72   Implementing the responsibility to protect . (2009, January 12). Retrieved March 01, 2017, from http://responsibilitytoprotect.org/implementing%20the%20rtop.pdf

people of Yemen and its legitimate government. [73] Since then, the conflict has escalated far beyond just being an internal dispute, and both sides are being backed by regional and international actors. In the case of the Yemeni government, this constitutes the Saudi Arabian government and the United States. The Houthi rebels receive support from Iran[74].

The conflict has had its toll on the Yemeni population; since 2014 the amount of children at risk of death due to malnutrition has more than doubled and continues to rise as Yemen is affected by drought similar to (South) Sudan and Somalia[75].

Lack of access to essential resources is only one of the worries of the population of Yemen. The Saudi Arabian military has admitted to use of UK-made cluster bombs[76]. Instead of stopping using cluster bombs altogether it has instead resorted to alternative manufacturers. In 2015, the UN Special Adviser on the Responsibility to Protect wrote in an opinion piece that international humanitarian law was widely being violated in Yemen, and some of the actions committed could constitute war crimes.[77]

The war in Yemen has received relatively little attention in comparison with the ongoing conflict in Syria, to the extent that a poll showed that less than half of the British population was aware of the ongoing conflict.[78] With the humanitarian crisis under serious risk of escalation, the question arises whether the United Nations Security Council should do more than it is currently doing to protect the population of Yemen.

The Responsibility to Protect is a quasi-legal concept in the area of international law, which is still at a very young stage of its formation. It has many areas, and it is a higly debated topic. On the

[73]   Thompson, D. (2017, January 25). Responsibility While Protecting (RwP) and the Intervention in Yemen. Retrieved March 24, 2017, from https://www.ethicsandinternationalaffairs.org/2017/responsibility-protecting-intervention-yemen/

[74]   Saul , J., Georgy, M., & Hafezi, P. (2017, March 22). Exclusive: Iran steps up support for Houthis in Yemen's war - sources. Retrieved March 24, 2017, from http://www.reuters.com/article/us-yemen-iran-houthis-idUSKBN16S22R

[75]   Gramer, R. (2017, March 15). U.N. Warns Yemen Could Be on Brink of Famine. Retrieved March 24, 2017, from http://foreignpolicy.com/2017/03/15/yemen-famine-humanitarian-relief-conflict-food-insecurity-casualties-of-conflict-saudi-led-intervention/

[76]   MacAskill, E., & Mason, R. (2016, December 19). Saudi Arabia admits it used UK-made cluster bombs in Yemen. Retrieved March 24, 2017, from https://www.theguardian.com/world/2016/dec/19/saudi-arabia-admits-use-uk-made-cluster-bombs-yemen

[77]   Dieng, A., & Walsh, J. (2015, August 14). Fulfillling our Responsibility to Protect in Yemen. Retrieved March 24, 2017, from http://www.un.org/en/preventgenocide/adviser/pdf/Op-ed%20Yemen.pdf

[78]   Dearden, L. (2017, March 18). Yemen war: More than half of British people unaware of ongoing conflict seeing UK weapons deployed by Saudis. Retrieved March 24, 2017, from http://www.independent.co.uk/news/uk/home-news/yemen-civil-war-british-weapons-poll-human-appeal-half-unaware-saudi-air-strikes-civilian-deaths-a7636271.html

one hand, we have the duty to respect state sovereignty provided by statutes of international law, and customary law. On the other hand, and because of the development of regional and international human rights, there has been a constant new trend of states intervening in other states' territories in order to safeguard the security of other populations which are suffering dire situations as the consequences of war. It msut also be noted that it is regarded as a normal fact in international law that states have the positive obligation to safeguard their own populations. Having positive obligations emans that states must act in order to protect their piópulations, contrary to negative obligations which merely means that states must restrain themselves from carrying out actions to the detriment of their populations. The responsibility to protect is widely debated not only ebcause of the topic of state sovereignty, but also because it is questioned which level of severity is needed to trigger it.[79]

Conclusion

The current situation regarding the Responsibility to Protect, is an uncertain one, as its theoretical nature has managed to make this doctrine seem as it is just a mere theoretical doctrine, with little practical application. The Responsibility to Protect has emerged as an International legal doctrine, but we must not forget it has more sides to it, such as discussions regarding sovereignty, and high moral implications.

As the United Nations Security Council high-level summit, your job is to apply this concept to the current issue which has arisen in Yemen. We look forward to fruitful debates.

Questions to consider:

- How does the responsibility to protect affect the idea of sovereignty?
- What is the standing of the responsibility to protect in international law?
- What is the practical standing of the responsibility to protect in the UN?
- What is the practical standing of the responsibility to protect in the UN, specifically regarding the current issues in Yemen?
- Is the doctrine of The Responsibility to Protect actually functional in practice? See the events which occurred in Libya, and which have occurred in Yemen in order to formulate an answer. You are also welcomed to bring other examples.

Recommendations for further reading:

- http://responsibilitytoprotect.org/ICISS%20Report.pdf
- http://strategicoutlook.org/publications/Questions_of_International_Law.pdf

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79   General Assembly Debate on the Responsibility to Protect and Informal Interactive Dialogue. (n.d.). Retrieved March 03, 2017, from http://www.responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/2493-general-assembly-debate-on-the-responsibility-to-protect-and-informal-interactive-dialogue-

- http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=3126&context=facpubs
- http://www.globalr2p.org/media/files/gareth-evans-on-responsibility-to-protect-after-libya.pdf