

# UNSC

United Nations Security Council

Study Guide

9th Session | York Model United Nations



## *Introduction from the Chairs*

Welcome to YorkMUN 2019 Security Council! It's absolutely fantastic to see what a response YorkMUN has had this year, and we're both thrilled to be chairing the single most distinguished committee across the United Nations. We hope you thoroughly enjoy your time in committee, and we are equally looking forwards to it. The topics we have selected for you to discuss have taken a lot of thought and consideration, as we both had a desire for the debate to be accessible, and at the same time, we wanted to try and provide a framework for well experienced delegates to excel.



First, we have the Situation in Cyprus, which serves both as a thoroughly in-depth discussion of one of the world's most interesting countries, but also helps delegates understand more of the breadth of work that the UN has done. The dispute, whilst going on for years, receives fewer front pages than many conflicts, yet is the site of one of few demilitarised zones in the world, has seen thousands of injuries, displacements and fatalities, and demonstrates the power of the UN Security Council to save people in crisis. We're hoping that it will engage delegates to think about the wider issues and reasons for a conflict taking place in future, which will be key when trying to write a resolution on this.

Secondly, we have the Question of Refugees and Migration, which has a much wider reach and hopefully, will see delegates look to work on global systematic reforms that can serve as long term solutions. By analysing a number of key conflicts, we're hoping that delegates will be able to use the current, real life crises going on in order to make frameworks and understand how to tackle such events head on should they happen again. This will really see delegates put to the test, as a full understanding of what powers the Security Council has, as well as a strong knowledge of past precedent.

It's very exciting to see the hard work we, and the rest of the Secretariat have put in all come together. It'll be thrilling to see you all at YorkMUN this year, and we hope you all have fun!

Best wishes, Alexander Castro-Jamal and Harry Clay



## *Introduction to the Committee*

Welcome to this meeting of the United Nations Security Council (UNSC). The UNSC is the body charged with the maintenance of peace and security throughout the globe. Through its meetings, the UNSC addresses any threats to peace and if any acts of aggression have occurred. Comprised of fifteen members, each member has one vote. Of those fifteen members five possess the Veto power. The Veto power is bestowed upon the Permanent Five (P5) of the UNSC, China, France, Russian Federation, United States of America, and The United Kingdom of Great Britain and Northern Ireland who can use their veto power to stop any resolution made by the UNSC from being enacted. These nations possess the Veto because these nations have a special responsibility to protect the peace throughout their world due to their military and economic capabilities and must contribute to the financing and operation of UN Peacekeeping missions.

The other ten seats are elected by the UN General Assembly for two-year terms via a formula designed to distribute seats on a regional basis, five for African and Asian Countries, one for Eastern European Countries, two for Latin American and Caribbean Countries, and two for Western Europe and other countries. The current ten non-permanent members of the UNSC will be noted in the Block Positions section of this Study Guide. For any vote to pass in the United Nations Security Council, two thirds of the committee must vote in favour of the resolution with no P5 members voting against. The threshold is nine votes in favour out of the fifteen nations present. If any nation abstains, the threshold is lowered.



(Foreign Policy, 2015)

## *TOPIC A: The Situation in Cyprus*

### *Introduction*

The Cyprus Dispute has seemingly defied the full ability of the UN for the past several decades. The culmination of a number of factors, including a feud between Greece and Turkey, historical British colonial rule and a build-up of violence and tension that never seemed to have an appropriate counterforce, this situation should see a resolution making history. The historical context of the debate is vital and will define how nations can act.

In brief, the situation in Cyprus is that of division. Following tension across ethnic lines, Turkey invaded and occupied the northern half of the island. As peace talks have routinely stalled, the conflict has never truly found an end, as the Greek Cypriots of the south generally wish to see the whole island returned to their hands, and the Turkish Cypriots of the North wish to see the division made official, their land recognised as a state and the UN buffer zone to be removed.

### *History of the Topic*

#### Build up to 1960

1931 saw an open revolt in the name of ‘enosis’, or union with Greece by Greek Cypriots, leading to half a dozen deaths, and the following arrests of 2000 people. A reserve police force made up of Turkish Cypriots was risen in order to enforce restrictions on the Greek people, forming arguably the first official divide between the two groups. 10 figures who were believed to have caused the riots were exiled, and after the Second World War, they were allowed to return, and an Assembly was proposed to give Cypriots a new constitution. These moves were viewed as not enough by the Greek Cypriot military, the Cypriot Orthodox Church and many Greek Cypriots refused the offer, as they desired ‘enosis’ and nothing else. (Huth, 2009) On the other hand, Turkish institutions and Turkish Cypriots had another goal named ‘taksim’, meaning to divide the island between the Greeks and the Turks. This task was supported by the newly formed paramilitary group TMT in order to counter the ‘enosis’ supporting Greek Cypriot paramilitary group EOKA, that had worked against British rule since mid-1955. (Key-Lindsay, 2011)

Disruption, civil unrest, and violence in the streets became near commonplace, and so work to strike a compromise was pushed higher. Instead of the talks being internal to Greece or Turkey, discussions were moved to London where representatives of both countries and both halves of Cyprus could discuss freely, resulting in the 1960 Cyprus constitution and its relating agreements.

The Constitution itself consists of near 200 Articles, has been amended almost a dozen times and to this day stands as the governing document of Cyprus. Although it was designed to keep peace and maintain a sense of justice between the conflicting Greek and Turkish Cypriots, it was in the long term, confusing, complex and ultimately lead to much of the later trouble. Its important provisions include a form of power sharing agreement, in that the

President of Cyprus was to be Greek, and the Vice-President, Turkish. Its power sharing expanded into the executive, enforcing a 7:3 ratio of Greeks to Turks, and importantly, both ideas of enosis and taksim were to be outlawed.

The relating agreements included the Treaty of Guarantee, banning Cyprus from political union with another state and allowing Greece, Turkey or Britain to act in order to ‘re-establish the state of affairs created by the present Treaty’; the Treaty of Alliance ensured independence for Cyprus from Britain and provided specific limits as to how many Greek and Turkish troops were allowed on the island; the Treaty of Establishment maintained the British presence on the island in Dhekelia and Akrotiri, and defined what Cypriot citizens were. (Key-Lindsay, 2011) (Hannay, 2005)



(Wikimedia Commons, 2009)

### 1960-74

As indicated by prior arrangements, Cyprus was to end up an autonomous republic. A House of Representatives of fifty individuals, additionally with a seven-to-three ratio, were to be independently chosen by mutual balloting on a universal suffrage premise. Legislation on different subjects was to occur by simple majority yet again the President and the Vice-President had a similar right of veto. The legal framework would be going by a Supreme Constitutional Court, made out of one Greek Cypriot and one Turkish Cypriot and directed by a contracted judge from an unbiased nation. In any case, inside a brief timeframe the first conflicts and arguments began to emerge between the two sides.

Rehashed endeavours to explain the debate fell apart. Greek Cypriot leader Makarios set forward to the three guarantors a thirteen-point proposition intended to dispense with

obstructions to the working of the government. Turkey at first rejected it. A couple of days after the fact, fighting began between the communities in Nicosia. In the days that followed, it spread over the whole of the island. In the meantime, the power-sharing government crumbled. The Greek Cypriots contend that the Turkish Cypriots pulled back so as to frame the Greeks as failing. The Turkish Cypriots keep up that they were forced out. Additionally, a significant number of the Turkish Cypriots declined to go in light of the fact that they dreaded for their lives after the ongoing brutality that had emerged. At last, on 27 December 1963, a peacekeeping power, the Joint Truce Force, was assembled by Britain, Greece and Turkey. At the same time as it established a peacekeeping force, the Security Council also recommended that the Secretary-General designate a mediator to take charge of formal peace-making efforts. In July Dean Acheson, former US Secretary of State presented a plan to unite Cyprus with Greece. In return for accepting this, Turkey would receive a sovereign military base on the island. The Turkish Cypriots would also be given minority rights, which would be overseen by a resident international commissioner. Makarios rejected the proposal, arguing that giving Turkey territory would be a limitation on *enosis* and would give Ankara too strong a say in the island's affairs.

On 21 April 1967, a coup d'etat in Greece forced control to the military. Only months after the fact, in November 1967, Cyprus saw its most extreme episode of intercommunal violence since 1964. Benefiting from the shortcoming of the Greek Cypriots, the Turkish Cypriots announced their own temporary government on 28 December 1967. Makarios quickly announced the new organization unlawful.

In May 1968, intercommunal talks started between the opposite sides under the sponsorship of the Good Offices of the UN Secretary-General. Once more, little advancement was made. Amid the first round of talks, which kept going until August 1968, the Turkish Cypriots were set up to make a few concessions with respect to constitutional issues, yet Makarios declined to concede them more noteworthy self-governance in return. The second round of talks, which concentrated on regional government, was similarly unsuccessful. In December 1969 a third round of exchange began. This time they concentrated on constitutional issues. Once more there was little advancement and when they finished in September 1970 the Secretary-General reprimanded the two sides for the absence of development. A fourth and last round of intercommunal talks likewise cantered around constitutional issues, yet again neglected to make much progress before they were compelled to a stop in 1974.

### The Turkish Invasion

Turkey commenced its invasion in July 1974. On the dawn of the 20<sup>th</sup>, troops landed on the north coast. 'Operation Attila' was faced with resistance from the Greek Cypriot forces, but by then, the Turkish forces had taken 3% of Cyprus. Following a failed ceasefire, the second invasion commenced in August. This time, the resistance was not as strong, and the Turkish forces were able to move across the width of the island, managing to occupy 40% of the island. Refugees in both halves of the nations were estimated at 150,000, and the UN worked to move people between each side. (Borowiec, 2000) Although discussions and talks held

lobbied for the withdrawal of troops, the separation between the two communities was cemented with the UN buffer zone established to prevent military conflict.

## *Discussion of the Topic*

### The UNFICYP

The United Nations has had a presence in Cyprus ever since the formation of the United Nations Peacekeeping Force in Cyprus (UNFICYP) in 1964. (United Nations Security Council, 1964) This was due to the significant amount of violence throughout Cyprus, specifically, the intercommunal violence between Turkish and Greek Cypriots. Preventing the reoccurrence of fighting was its first and primary aim, with the goal of restoring normal, peaceful conditions quickly, but this was not to happen. The Greek Cypriot coup d'état and ensuing Turkish invasion saw the remit of the peacekeeping force expand to preventing war. Its deployment was then moved to maintain the UN Buffer Zone in Cyprus, and it has remained working there ever since. Although its presence has appeared to be largely affective in maintaining order, it's position may be at risk. Its cost is a large factor in this, as a UN report showed that almost \$3 billion had been spent maintaining the UNFICYP. (United Nations, 2012) Its removal or reduction has been hinted at by Ban Ki-moon, former Secretary-General of the UN, who has previously claimed that the presence of the UN in its full force cannot be taken for granted.

### Buffer Zone

The UN buffer zone is one of very few regions of the world cornered off by the UN in order to maintain peace. Stretching across the width of the island, the snaking thin line known as the Green Line has served to ensure that any dispute between the two sides can take place in a safe, agreeable locations, and that all military activities can be kept to a minimum to ensure safety. Acts considered aggressive, are discussed and controlled by UN peacekeepers moving back and forth between Greek and Turkish commanders. (Hitchens, 1997) These acts may be as general as training exercises taking place nearby, or as specific as a small number of sandbags being placed in a certain location.

### Legality of Invasion and Subsequent Legal Battles

The stationing of troops in a foreign country in itself poses an enormous challenge for international diplomacy, but the situation posed in Cyprus is much harder to resolve. In response to the Cypriot military coup, Turkey staged the first leg of its invasion in July 1974 under the defence of the Treaty of Guarantee. This treaty gives the right of intervention to Greece, Turkey and Britain should the status quo be changed from the time of signing the 1960 treaty. Although a ceasefire was ordered by the Security Council in Resolution 353, Turkey violated this. (United Nations Security Council, 1974)

This isn't to suggest that the Turkish forces are the only ones to have broken any conventions or laws, as it is reported and documented that the Turkish Cypriot enclave, Limassol, was the sight of arson, rape and indiscriminate shooting after it surrendered to the Cypriot National

Guard. (Oberling, 1982) Both sides took prisoners of war and established POW camps. (Distein, et al., 1999)

The UN Security Council has challenged the invasion and occupation based on the premise that the Treaty of Guarantee stipulates that any intervention should be in order to re-establish the previous order. Occupying half the country would not be justified in this case, and the establishing of a de facto partition in the Republic is not necessarily in the best interests of Turkish Cypriots. This was condemned in Resolution 367. (United Nations Security Council, 1975)

Outside of the UN, Turkey was found guilty by the European Commission of Human Rights in 1974, 1976 and 1983 of various things. The initial issue was defined as displacing people, ill treatment, and depriving people of liberty, life and possessions. This was later expanded as to include repeated violations of the European Convention of Human Rights. This included in 1983, the general removal of rights and failure to secure freedoms, and in 2001, the violation of human rights by trying civilians in military court, counts of rape and torture by Turkish soldiers. Although it isn't often described as such, some argue that there is a legal case to suggest that the occupation of the north is a case of ethnic cleansing. (Borowiec, 2000)

There are also a number of legal issues in regard to Turkish Cypriots being the victim of violence. The UN described the Martha, Santalaris and Aloda massacre committed by EOKA B as a crime against humanity. (UN Office of Public Information, 1974) It has been reported that a small number of Turkish villages had been raided when Turkish forces were unable to defend, and the Cypriot National Guard committed a number of atrocities in Limassol. (Oberling, 1982)

### Lack of Successful Talks

From the emergence of violence to today, talks and discussions between Greek and Turkish Cypriot leaders have routinely taken place, and then fallen through before any significant ground can be made. The first of these took place immediately after the Turkish invasion. Initially focussing on a quick solution to the conflict, they fell through, followed by talks held by the UN in order to try and establish agreement on humanitarian issues. These issues are primarily that of ensuring peoples freedoms, and debriefing on the UNs efforts to ensure people who have found themselves on the 'wrong' side of the island can move across. These talks fell apart in 1976.

The most successful talks until much later were that of 1977, in which Greek and Cypriot leaders signed an agreement supporting a future federal government and seemed to make a path for future discussions. These discussions took place in 1980, in which the Turkish side desired two states with very little integration, and the Greek side desired higher levels of integration, leading to these talks also falling apart.

Routinely, as ideas have been presented and the UN has attempted to find a solution, objections from both Greeks and Turks have led talks to end, unsuccessfully. Surpassing these insistent objections will be key to moving forwards.

### Annan Plan

The most successful attempt, and the closest to making serious movement forwards was the Annan Plan. Named after UN Secretary General Kofi Annan, the proposal was to establish a

united Cypriot Republic, covering the whole of the island bar the British controlled regions. Although the two regions were to maintain a level of independence, they would be joined with a federal government. This level of government was to have a Presidential Council, a President and Vice President to be split between the two communities and to alternate in their functions, a Senate upper house to be divided in half, a Chamber of Deputies lower house to be divided in proportion of the population and a Supreme Court, split evenly between the communities, with additional foreign judges.

It also proposed a new constitution to operate federally, as well as constituent constitutions for the two regions, swathes of new constitutional and federal laws as well as other national features such as a flag and national anthem. Most importantly, it allowed the right to return back and forth between the two communities. Following years of revision and negotiation, the agreement was put together, and set to a referendum across Cyprus.

Referendum result	Yes		No		Turnout
	Total	%	Total	%	
Turkish Cypriot community	50,500	64.90%	14,700	35.09%	87%
Greek Cypriot Community	99,976	24.17%	313,704	75.83%	88%
Total legitimate ballots in all areas	150,500	31.42%	328,500	68.58%	

(Wikipedia, 2019)

The results of the referendum confirmed that the plan would not be implemented. Almost all involved were disappointed. The UN welcomed much of the support it got from the Turkish Cypriot community, but the Security Council, the EU, the UK, the US and countries globally released statements expressing regret and disappointment that the deal so many had worked hard on, had not found enough popular support. The single most important objection felt by those against the plan was that it didn't consider the view of the Cypriots. It was a top down approach that didn't adequately understand what it was that people wanted.

## *Bloc Positions*

### *Supporting Republic of Cyprus*

#### Greece

Greece hold that the Turkish government has illegally held troops in Northern Cyprus, arguing that it is the most militarised area in the world. (Greek Ministry of Foreign Affairs, n.d.) It is claimed that the most important factor of the dispute is that over protecting refugees and missing persons, as well as Turkey destroying the cultural heritage of the northern side of the island. Naturally then, Greece will be hostile to anything supporting maintaining the division across the island, as it supports what they see as a false Turkish claim.

It is within Greece's interest to ensure no other country recognises Northern Cyprus other than Turkey, all of Turkey's forces and settlements are terminated or withdrawn quickly, and that the internal matters of Cyprus are to be resolved by the government of the Republic of Cyprus. It may also be within the interest of Greece to ensure Northern Cyprus is not integrated within other international organisations, as it suggests legitimacy that the Greek government would never support. Greece still searches to resolve UNSC Resolutions 541 (1983) and 550 (1984), which states that the Turkish claim for a Northern Cyprus is invalid, and that all states should recognise the 'sovereignty, independence, territorial integrity, unity and non-alignment of the Republic of Cyprus'. (United Nations Security Council, 1984)

#### Armenia

Armenia has found itself to be an unlikely ally to the Republic of Cyprus. Perhaps the single biggest defining feature of Armenian policy and history is that of the Armenian Genocide, and the lack of recognition that it even happened. Cyprus was the first European country to acknowledge the Armenian Genocide officially. The two nations have worked together in education, with a number of Armenian schools built across Cyprus, and other organisations including two newspapers.

Armenia's position would naturally be to defend the Republic of Cyprus but will also be defined and amplified by the tensions it has with Turkey. Aside from the brief period of signing the normalization protocols in 2009, Armenia and Turkey have had almost no relations. The prominent issue here is again the Armenian Genocide, as the Turkish government to this day, denies it ever happened. To this extent, the Armenian position on the Cyprus dispute is to defend the Republic of Cyprus at all costs and ensuring that the Turkish occupation comes to an end.

### *Supporting Northern Cyprus*

#### Turkey

Ever since the initial occupation of the Northern half of the island, Turkey has pushed for, and has succeeded in creating a divided Cyprus. Turkey now portrays the 1960 Zurich-

London agreements and their supplemented treaties as the establishment of a division over the island and believes that the conflict in 1963-74 was pushed by Greece and Greek Cypriots. It's invasion in 1974 was enacted in response to the Cypriot military coup d'état, fearing that the power of the Greek military junta would expand and threaten Turkey, and that the lives of Turkish Cypriots who had previously faced violence, may also face a military threat, which was defended by the Council of Europe as per the Guarantee Treaty of 1960.

The invasion, however, has found international backlash due to the violent nature of what happened. The European Commission of Human Rights has on numerous occasions found Turkey guilty of breaking the ECHR, and there are a number of accusations of rape, torture and theft committed by Turkish Soldiers. (European Commission of Human Rights, n.d.) At this time, Turkey would seek other countries to recognise the independent state of Northern Cyprus and encourage the UN to maintain the division of the island.

There is also the matter of an international embargo against Northern Cyprus, preventing a number of institutions and organisations within the EU and elsewhere from involving themselves with the Turkish Cypriot community. (The Economist, 2002) This hurts Northern Cyprus, but also damages the difficult relations between Turkey and the EU, which is what defined much of Turkey's current policy making. Turkey is the closest country to Northern Cyprus and should defend it to all ends.

### *Supports Middle Ground*

#### United States of America

The US was the only member of the Security Council to abstain on resolution 550 which condemned the actions of settling the north of Cyprus as Turkish, but recent years have seen the relations between the US and the Republic of Cyprus warm. (The National Herald, 2018) The Republic of Cyprus has supported the US in its relations with Israel, most notably in the Gaza Flotilla Raid, and has given the US rights over natural gas and oil reserves across Cypriot waters.

The Republic of Cyprus acts as a democratic foothold into the Middle East, meaning that the US occasionally seeks to use its airports and military facilities. (Gold News, 2016) The US intends to continue to push for UN led talks between parties involved in order to organise a response to the issue. Millions of dollars in exports, as well as foreign aid pass through Cyprus, and a strong foothold into the Middle East are two incentives for the US to ensure that whatever solutions are found, peace is maintained, and democracy remains the prevalent system of governance.

#### United Kingdom of Great Britain and Northern Ireland

The United Kingdom is tied closer to Cyprus than most other western nations, being a previous colonial ruler of the territory. Britain still holds sovereignty over some of the island, specifically, the Akrotiri and Dhekelia areas, which contain British military facilities. The most recent demonstration of cooperation in 2014 saw the allowing of property development within the British controlled region.

Britain would aim to maintain its high level of influence over the island, being a matter of military and economic importance across the Mediterranean. With Britain set to potentially leave the EU, having territory bordering an EU nation may prove to be a political minefield, so Britain will need to ensure it has a plan in place to regulate trade and movement across the region. It will support a peaceful and democratic solution that may keep the divide, so long as the control over its territory is kept and recognised by all parties.

### China

China has not had a significant role during the Cyprus dispute, and the Republic of Cyprus have not had strong ties with China for any political reason. The two have, however, come closer in recent years due to trade, of which China would have an incentive to maintain. Since the creation of the 'Cyprus-China Business Association' by the Cypriot Chamber of Commerce and Industry, goods have passed between the two nations peacefully and smoothly. (Cychiba, n.d.) On top of that, China has repeatedly invested within the Republic of Cyprus both financially, and non-financially. These non-financial methods of investment are much bigger and are dominated by engineering contracts given to Chinese companies. Political relations only truly began prevalent as the Republic of Cyprus joined the EU. This meant that China has an opportunity to help bridge the gap between it and the European Powers. This is vital to China, and perhaps the main incentive for China to support the southern half of the island.

### France

While the French government supports the Republic of Cyprus, and the two nations have recently stepped up its military ties, it also claims to support the Turkish Cypriots across the island. (Cyprus Mail, 2017) This isn't supporting the political region so much as it is the ethnic group, taking a mediator role.

### Russia

Officially, Russia is open with the Republic of Cyprus and interested in protecting the citizens of the whole of Cyprus. Cyprus invests heavily in the Russian economy and Russia can use its influence in here as another step towards Europe. (Cyprus Mail, 2018) However, some argue that maintaining the status quo has advantages to Russia, as a growth of Turkish power could pose a threat. (Politico, 2017) As such, Russia will be motivated to maintain the division for now.

### Australia

The relations between Australia and the Republic of Cyprus are based on common values, a shared history of colonial rule by Britain and slow but steady trade. It's prudent for Australia to support a peaceful resolution to the matter, whilst maintaining any potential trade benefits from Cyprus.

### Bangladesh

Having briefly recognised the Turkish Republic of Northern Cyprus and having received significant funds from Turkey in order to aid refugees from the Rohingya Crisis, there is a historical incentive for Bangladesh to support the North. Due to international pressure and a

cooperation with Cyprus economically and educationally however, their positions has become more difficult to pinpoint and can find ground to support either side, so long as the consensus is swinging that way.

### *Have Little to No Relations*

Bolivia, Chile, Egypt, Senegal and South Africa have no major position or influence over the Cyprus dispute. They will likely base their actions based on the influence P5 members have over them, their connections with either Greece or Turkey, and whatever solutions seem most peaceful and amicable to all parties.

### *Points a Resolution Should Address*

1. How can the UN protect the lives and rights of those across both halves of the island?
2. Where do the 1960 treaties and Constitution stand today following the wake of the Annan Plan?
3. What should happen to the UN buffer zone and British controlled regions, as well as the regions of the island suffering from segregation should the island unify?
4. Who should be held responsible for those who have died or been injured throughout the dispute?
5. How can Cyprus take steps to de-militarise?
6. Should the property and possessions lost from the 1974 invasions be returned or compensated?

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## *Topic B: The Question of Refugees and Migration*

### *Introduction & History of the Topic*

Since 2014 refugees have been high on the political agenda. This was especially the case in Europe where issues with globalisation and disparity in wealth, discontent with immigration systems and lack of integration led to massive outcries by European leaders (Lucassen, 2017). A massive disparity has occurred between European states with Germany accepting vast amounts of refugees. At the same time, other European states call for more refugees to be allowed to settle in places such as the Faroe Islands, which have even developed better integration strategies for incoming refugees (O'Connor, 2019). A backlash has occurred in other states such as the UK, France, Greece and Italy all calling, to varying degrees, for greater control and limits on refugees being taken in by those nations (BBC News , 2018).

Persecution, conflict and human rights violations continue to force people to flee their homes to find safety in Europe, risking their lives to make such dangerous journeys. Whilst migration is significantly down compared to its 2015/16 peak, due the EU-Turkey ‘one in, one out’ agreement (Kingsley, 2016) and bilateral cooperation between Libya and NATO, problems persist. (Henley, 2018 ). 102,000 refugees have made the perilous journey into Europe and 2,100 feared drowned in 2018 alone. At 1.8 million refugees already, tensions are high and a surge in refugees could result in continual upheaval within and between European states (Henley, 2018 ).



(UNHCR, 2019)

The situation is still bad for refugees in North America with President Donald Trump attempting to build a wall on the Southern border to prevent mass migration referring to migrants as “criminals and unknown Middle Easterners” (Gomez, 2018). In various speech President Trump threatened to cut aid to South American nations attempting to slow the flow of migrants into the United States through Mexico (Gomez, 2018).



(Gomez, 2018)

In Asia, the Rohingya from Myanmar are fleeing from violence in Rakhine State. Considered to be the world's fastest growing refugee crisis, nearly 700,000 have fled on foot or by sea (BBC, 2018). The violence has been described as ethnic cleansing and although

the United Nations Security Council has attempted to impose arms embargos and other sanctions upon Myanmar, China has protected Myanmar from such issues using their veto power (Straits Times, 2018). However, nine security council members supported the report on the genocide and mass atrocities, which cannot be vetoed by the P5 (Straits Times, 2018). Previous international attention has managed to achieve significant political reform in Myanmar, driving the military leadership out and allowing Aung San Suu Kyi to lead an elected government. So reports by the UNSC and pressure from them can lead to significant outcomes.

## *Discussion of the Topic*

This committee is going to have to decide how to handle the ongoing global refugee crisis. To do this they will have to decide where to act, i.e. will it be state centric or regional? To help the committee decide a look at the case studies of Syria and Myanmar will be presented here.

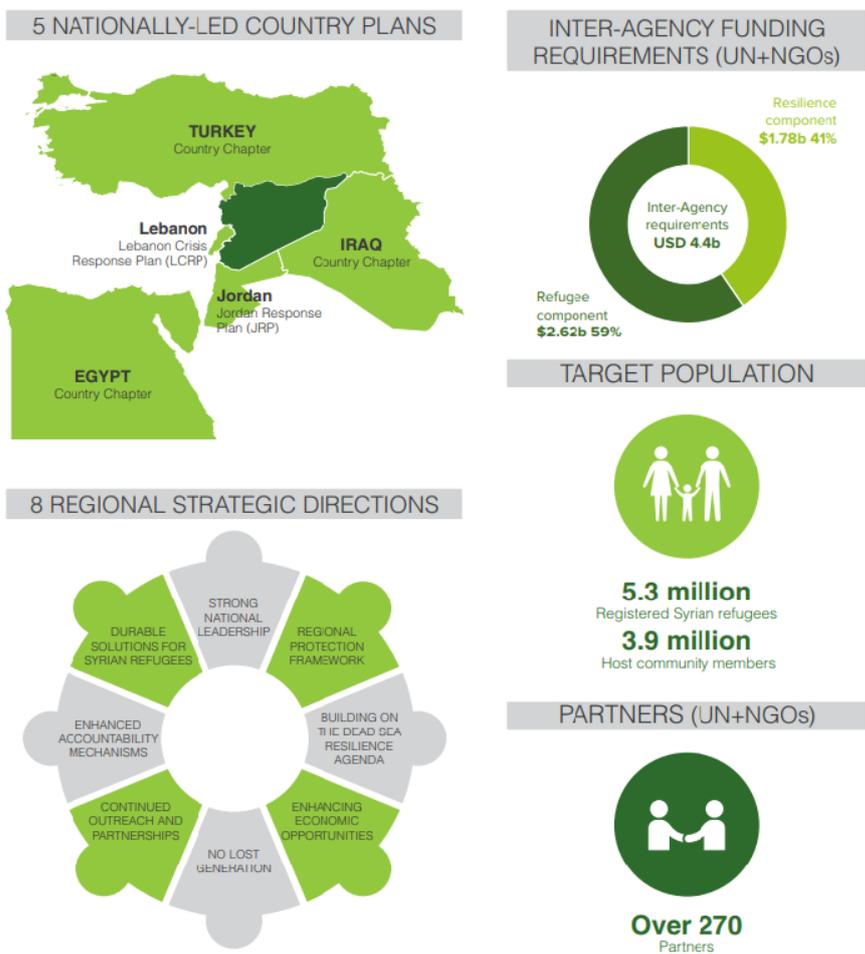
### *Syria:*

The United Nations Human Rights Council has developed the Regional Refugee Resilience plan (3RP) as a response to the Syrian civil war (UNHRC - 3RP, 2018). This plan is designed to increase the quality of international and inter agency coordination. However, this plan relies upon nations adopting to the commitments it requires in funding to build the capacity to react to the refugee crisis. 3RP has been active for several years, the most recent plan is cited here, but delegates can refer to older ones if they so choose.

The main problem with the plan is ensuring commitments are met. The United Nations Security Council has two mechanisms to support these types of plans. First, they can pass a non binding resolution to consolidate support for the plan and more effectively coordinate inter-state cooperation or pass a binding resolution which directs nations to provide funds for capacity building for the nations that can best affect the crisis. The second mechanism is to react to the Syrian civil war under the Responsibility to Protect (R2P). However, this second mechanism is controversial since R2P does not possess the legal clarity for extra-territorial

military intervention (Borgia, 2015). That being said, R2P does provide the basis in customary international law for the responsibility to provide international assistance and capacity building (Borgia, 2015) which means it can be invoked when discussing how to react to situations of human suffering. Other issues stemming from the question of how to react is the geo-political issues of the United States retreat from global commitments and Russian intransigence. If the committee wish to discuss the Syrian civil war and mechanisms to react, they will have to find a mechanism that is acceptable to both the US and Russia.

## At a Glance: 3RP 2018



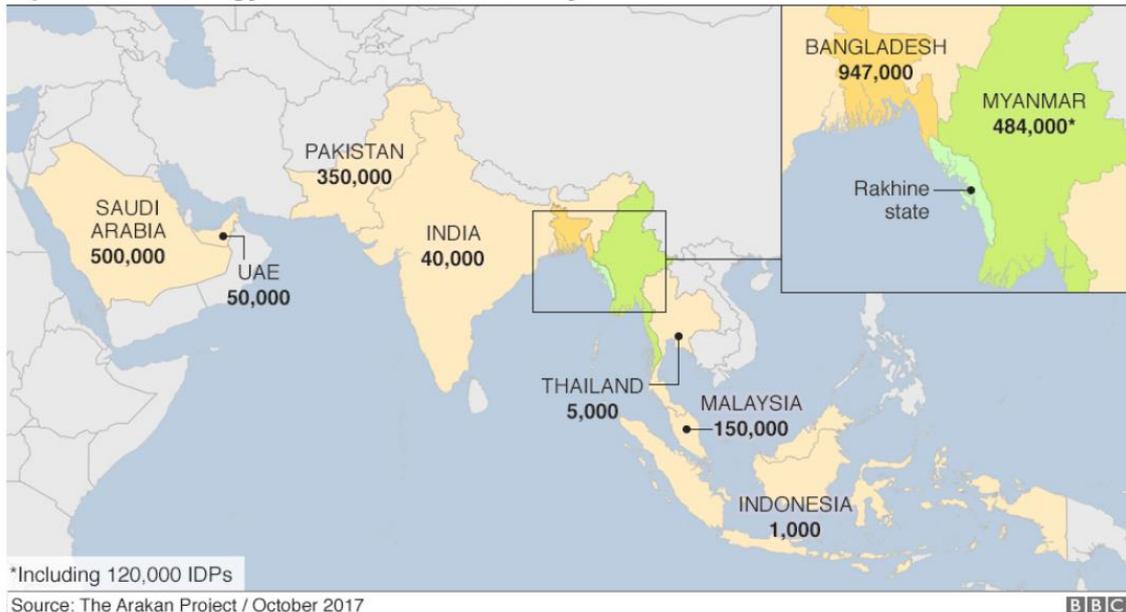
(UNHRC - 3RP , 2018)

### Myanmar:

As of the 27<sup>th</sup> of August 2018, evidence found by the UNHRC-mandated Independent Fact-Finding Mission (FFM) on Myanmar declared that actions committed by the government of Myanmar consist of “genocidal intent” on the Rohingya (Global Centre for the Responsibility to Protect , 2018). The military offensive in Rakhine state has been described by Myanmar as a ‘legitimate counter insurgency’ action (Blanchard, 2018). Coupled with Myanmar’s denial of genocide, the government of Myanmar has blocked investigators sent under the UN:FFM

mission and continues to rejected the jurisdiction of the international criminal court, in spite of prosecutors at the International Criminal Court (ICC) successfully arguing that coercive actions taken in Myanmar against the Rohingya (Myanmar is a state not party to International Criminal Court statute) took part on the border with Bangladesh, thus establishing their jurisdiction in the matter (International Criminal Court , 2018). Bangladesh has so far accepted over 75,000 refugees but has struck a deal which Myanmar to repatriate the Rohingya (Rahman, 2018). This has come as a surprise to the UN, especially since the conditions in Rakhine state are reported by incompatible with human life.

## Spread of Rohingya inside and outside Myanmar



(BBC , 2018 )

The United Nations Security Council is the main body to react to this issue since it has the power to refer Myanmar, its military leadership and others to the ICC, however China has moved to block this action (The Economist , 2018). The UN report from the UN:FFM has found six commanders who could be prosecuted for the crime committed in Myanmar. The ICC is regarded as a body to support western interests which means other nations may attempt to frustrate the UNSC out of dislike for the ICC (The Economist , 2018). The UNSC has the capacity to establish ad hoc criminal courts to prosecute those charged with committed crimes against humanity. Support for an UNSC established court is far more likely to occur. Failing this, the UNSC could adopt sanction upon the six military commanders named in the report, such as issuing international arrest warrants and seizing any assets they possess outside of Myanmar (The Economist , 2018). The UNSC must also address the issue of repatriation because forced repatriation is likely to enhance the prospects for greater humanitarian emergencies and right violations. Mechanisms to support this would be to invoke R2P to enhance the capacity for Bangladesh and other nations in the region to accept and house refugees (Global Centre for the Responsibility to Protect , 2018). Funding for temporary monsoon season housing is a top priority.

## *Country Positions*

### P5 members

#### *China*

When it comes to global refugee crisis, China tends to prioritise national interests. For instance, China has oil interest in Rakhine state and has supported Myanmar by blocking various resolutions that utilise the ICC. However, China does also care for a stable world and wants to find solutions to these crisis and support finding a renegotiating the deal between Bangladesh and Myanmar on refugee repatriation. When it comes to Syria, China support UN investigations and fact finding missions and wants parties to enact a cease fire. Possibly breaking from Russia. This would not be the first time China has not voted with their ally in the security council as they have done when voting on the situation in Yemen.

#### *France*

Since the beginning of the conflict in Syria, France has supported international efforts with air support and training for Arab-Kurdish forces in the region. France has also provided financial support for humanitarian agencies and other regional actors. Through UN resolution 2254, France supports the establishment of a transitional governing body in line with the wishes of the international community. Regarding the situation in Myanmar, France calls for the cessation of violence against the civilian population and demands that security forces ensure the protection and guarantee the restoration of safe passage to Rakhine state. France calls upon Bangladesh to continue to accept refugees, ignoring the deal struck between Myanmar and Bangladesh.

#### *Russian Federation*

Consistently supporting the government of Syria, and since the 30<sup>th</sup> of September 2015, provided military aid and engaged directly in the civil war. Persistently vetoing western resolutions that call for sanctions, demands for the resignation of President Bashar Al-Assad. However, Russia cannot prevent the deployment of Fact-Finding Mission (FFM) and would need to build enough support to prevent 9 votes to deploy one. Myanmar is a very difficult issue for Russia as it forces them to choose between Muslims in Myanmar at the request of leaders of Chechen republic. The Russian federation official position is to support the Myanmar government, but continued support could cost them vital allies, perhaps forcing them to break from China if they will not relieve the suffering of the Rohingya in Myanmar.

#### *United States of America*

Breaking from all their allies, the United States has declared its withdrawal from Syria at the end of 2018. Though it has called upon Turkey to prevent any further killing of Syrian Kurds whilst National Security Advisor John Bolton has contradicted the administration by claiming the US will not withdraw anytime soon (as on early 2019, since the US administration changes stance regularly we will consider this to be the policy). The US has also decided to

shut down the US government until they build a wall on the south US border with Mexico. One main concern for the US has been withdrawing from international agreements but building capacity of other states to fulfil obligations. Imposing sanction upon Myanmar, the US has taken a strong stance on the Myanmar military over atrocities commitment against the Rohingya and targeting economic sanctions against security forces believed to be culpable of committing atrocities.

### *United Kingdom of Great Britain and Northern Ireland*

During Christmas of 2018 the UK declared an emergency over Refugees attempting to cross the English Channel. Home Secretary stated that Britain intended to enact the Dublin treaty to return refugees to the first country they entered Europe. However, when pressed by the Chancellor about his views on the British Exit of the European Union, the Home Secretary argued in favour of leaving without a deal with the EU, leaving the utility Dublin treaty in doubt. Britain has tended to favour economic aid and developing regional support for refugee efforts. The UK foreign secretary has called for Myanmar Military leaders to face justice at the ICC and declared the UK has a 'special responsibility to and enacted diplomatic efforts to end the humanitarian emergency. Needless to say, Brexit has frustrated a coherent British policy on Syrian refugee crisis. However, the British are willing to take strong and coordinated and efforts to deal with the situation in Myanmar.

### *Points a Resolution Must Answer*

- Should the UNSC engage in military options to prevent further human suffering stemming from the refugee crisis?
- Should the UNSC engage in coercive measures such as sanctions, referring cases to the ICC or establish ad hoc courts to end human suffering?
- Should the UNSC engage in capacity building for states?
- Should the UNSC issue presidential statement supporting regional organisations if it cannot pass a resolution?
- How can the UNSC support funding for various refugee relief efforts? Should they be binding commitments for nations or should the UNSC consolidate support for relief efforts by passing statements or endorsing plans already in place from other agencies, NGO's and states?
- Should the Responsibility to Protect be used to intervene in nations which have manifestly failed to protect their population during a refugee crisis?
- Do any nations poses the sovereign right to forcibly repatriate refugees against their will?

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