

Dear Delegates,

Welcome to the fourth Metro Detroit Model United Nations Conference. Over the past four years we have worked tirelessly to develop an exciting and innovative Model United Nations format that challenges our delegates in a competitive and inclusive environment. We work year-round to ensure that our staff members are as prepared as possible to ensure that all of our delegates can participate in our debates. Moreover, the topics that you will discuss have been carefully selected for their global importance and the larger questions that they ask. When reading through the following background guide, be sure to analyze and evaluate what larger questions are being provoked by the topic and what commentary these larger questions make about the current international system. Finally, if you have any questions, be sure to reach out to your chairs on the email address provided on their committee page.

We look forward to welcoming you in January,

**Mitchell Dennis**

Secretary General of the Metro Detroit Model United Nations IV

# The Protection of Civilians in Armed Conflict

## The United Nations Security Council

On October 24, 1945, the winners of World War II — China, the U.S.S.R., France, the United Kingdom, and the United States — ratified the UN Charter, creating the Security Council and establishing themselves as its five permanent members, the only members with the ability to veto resolutions. Originally there were six temporary members, rotating every two years and distributed on an equitable geographic basis. That rule was more explicitly defined in 1965, when the number of temporary members was increased to ten (five from Africa and Asia, one from Eastern Europe, two from Latin America and the Caribbean, and two from Western Europe). The Charter also established the purpose of the Council, to “investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security” and to act accordingly, by investigating any situation threatening international peace, recommending procedures for peaceful resolution of a dispute, calling upon other member nations to completely or partially interrupt economic relations as well as sea, air, postal, and radio communications, or to sever diplomatic relations, and enforcing its decisions militarily, if necessary.<sup>1</sup> The United Nations was originally supposed to have its own military but it does not.

## History of the Issue

The most common definition of armed conflict is from Uppsala University in Sweden: “a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, or which at least one is the government of a state, results in at least 25 battle-related deaths.”<sup>2</sup> According to Armed Conflict Database by the International Institute for Strategic Studies, there are 42 active armed conflicts in the world currently, resulting in 180,000 fatalities worldwide.

Civilians have long borne the brutal costs of war. Armies often terrorized civilians for supplies or in order to break the will of an enemy force by brutalizing civilians. The modern movement to establish rules of conduct for armed conflict began in the 1800s. The battle of Solferino in 1859 was so brutal and destructive, with 6,000 soldiers killed and another 35,000 wounded or missing, that it provided an impetus for the modern humanitarian movement.<sup>3</sup> After the destruction of this battle, the International Red Cross and the Geneva Conventions were established. The First Geneva

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<sup>1</sup> “UN Security Council.” *Global Policy Forum*. <https://www.globalpolicy.org/security-council.html>.

<sup>2</sup> “Definition of Armed Conflict.” *Department of Peace and Conflict Research*. [http://www.pcr.uu.se/research/ucdp/definitions/definition\\_of\\_armed\\_conflict/](http://www.pcr.uu.se/research/ucdp/definitions/definition_of_armed_conflict/).

<sup>3</sup> “Solferino and the International Committee of the Red Cross.” *International Committee of the Red Cross*. <https://www.icrc.org/eng/resources/documents/feature/2010/solferino-feature-240609.htm>.

Conventions, signed in 1864, sought to implement rules and regulations for combat, but also contained important provisions protecting medical personnel.<sup>4</sup> In this way, the first regulations for armed conflict stem from the first Geneva Conventions. However, in conflicts in the early-1900s, civilians continued to be targets of violence. It is estimated that in World War II alone, 45,000,000 civilians died, compared to 15,000,000 deaths in battle.<sup>5</sup>



After the brutal impact on civilians in World War II, the international community responded with the Fourth Geneva Convention.<sup>6</sup> Before 1949 the Geneva Conventions only protected wounded, sick, shipwrecked and captured combatants. International Humanitarian Law now states that civilians under the power of enemy forces must be treated humanely in all circumstances. They must be protected from all

forms of violence or humiliating treatment. There is a changing definition of the protection of civilians in armed conflict, and this definition adapts after a new instance of war and torture.<sup>7</sup> However, enforcing such regulations has often proven incredibly difficult, despite the mandate of the United Nations Security Council.

Protecting civilians has emerged as a central purpose of many peace operations and is one of the main goals of peacekeepers. As peacekeeping missions have grown in number, frequency, size and mandate, the UN has increased efforts to put civilian protection at the heart of these operations. It has become immoral to harm civilians during conflict as the world reflects on the crimes of past wars. However, many countries have chosen to ignore the morality of harming civilians during armed conflict during current situations. Russia, China, and Iran all continue to support the Assad Regime which has used chemical weapons on its people. This means the permanent members of the Security Council must approach this issue with the other nations' veto powers in mind.

### **What are peacekeeping operations?**

UN peacekeeping operations are deployed on the basis of mandates from the United Nations Security Council. Their tasks differ from situation to situation, depending on the nature of the conflict and the specific challenges it presents.<sup>8</sup> However, peacekeepers are often criticized in modern day based on their effectiveness during past peacekeeping operations, with some peacekeeping missions remaining in place for decades with no lasting peace established. Peacekeepers main goals are to stop

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<sup>4</sup> "Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Geneva, 22 August 1864." *International Committee of the Red Cross*. <https://ihl-databases.icrc.org/ihl/INTRO/120?OpenDocument>.

<sup>5</sup> "Research Starters: Worldwide Deaths in World War II." *The National WWII Museum*. <https://www.nationalww2museum.org/students-teachers/student-resources/research-starters/research-starters-worldwide-deaths-world-war>.

<sup>6</sup> "Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949." *United Nations*. [https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33\\_GC-IV-EN.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf).

<sup>7</sup> "Definition of Armed Conflict." *Department of Peace and Conflict Research*. [http://www.pcr.uu.se/research/ucdp/definitions/definition\\_of\\_armed\\_conflict/](http://www.pcr.uu.se/research/ucdp/definitions/definition_of_armed_conflict/).

<sup>8</sup> "Military." *United Nations Peacekeeping*. <http://www.un.org/en/peacekeeping/issues/military/>.

violence before it starts and to enforce peace in war torn areas.

## Current Situation

War has changed in modern day. War looks very different from the depths of World War II. Wars have got smaller but are equally dangerous as wars in the past. Not all are identical, but armed conflicts in Chechnya, the Balkans, Iraq, Afghanistan, Syria and Libya have many traits in common. War has also changed to account for hybrid warfare. Hybrid warfare is defined by NATO as “any threat can be hybrid as long as it is not limited to a single form and dimension of warfare. When any threat or use of force is defined as hybrid, the term loses its value and causes confusion instead of clarifying the “reality” of modern warfare.”<sup>9</sup>

### Ukraine and Crimea

Eastern Ukraine is a current site of great conflict. Only a month after a revolution in Ukraine's capital overthrew the government, the country's new leaders have watched Russia claim Crimea, wage an "information war", and mass an estimated 40,000 troops at the border.<sup>10</sup> Pro-Russian protests have bloomed in eastern cities, making the rest of the world wonder if the citizens should decide what country their city belongs to. More than a hundred civilians have died during the protest, and the world cannot turn a blind eye to the horrors in eastern Ukraine.

The war in eastern Ukraine has had a devastating impact on civilians, Human Rights Watch wrote in its *World Report 2015*. The armed conflict between Russia-backed rebels and Ukrainian government forces broke out during the most turbulent year in Ukraine's post-independence period, which also included mass protests, the overthrow of the government, and Russia's occupation of Crimea.<sup>11</sup> Human Rights Watch wrote, “Ukrainian government authorities and Russia-backed separatists in eastern Ukraine detained dozens of civilians for collaborating with the other side and held them in prolonged, arbitrary detention, depriving them of contact with lawyers and family. Most of those detained suffered torture or other forms of ill-treatment; some were denied needed medical attention. Both sides have been implicated in sexual violence, although few cases have been fully documented due to victims' reluctance to come forward.”<sup>12</sup> The Security Council delegates must decide how to help the detained civilians in eastern Ukraine. Should the Ukrainian government authorities be charged in the ICC, and how will this impact the country's willingness to accept peacekeepers into the country? Already, a key UN committee, the Human Rights Committee, approved a resolution condemning Russia's “temporary occupation” of Crimea and reaffirming the United Nations' commitment to Ukraine's sovereignty over the Black Sea peninsula. Russia urged the General Assembly's Human Rights Committee to vote against the

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<sup>9</sup> “Peacebuilding Commission 2016 Annual Session, 1<sup>st</sup> Meeting.” *United Nations*. <https://www.un.org/press/en/2016/psc114.doc.htm>.

<sup>10</sup> “Ukraine crisis: an essential guide to everything that's happened so far.” *The Guardian*. <https://www.theguardian.com/world/2014/apr/11/ukraine-russia-crimea-sanctions-us-eu-guide-explainer>.

<sup>11</sup> “Ukraine: War in East, Crimea Occupation.” *Human Rights Watch*. <https://www.hrw.org/news/2015/01/29/ukraine-war-east-crimea-occupation>.

<sup>12</sup> “Ukraine Events of 2016.” *Human Rights Watch*. <https://www.hrw.org/world-report/2017/country-chapters/ukraine>.

resolution, but it was approved by a vote of 70-26 with 77 abstentions.<sup>13</sup>

## **Syria and Iraq**

According to the Syrian Center for Policy Research, an independent Syrian research organization, the death toll from the conflict as of February 2016 was 470,000. The spread and intensification of fighting has led to a dire humanitarian crisis, with 6.1 million internally displaced people and 4.8 million seeking refuge abroad, according to the UN Office for the Coordination of Humanitarian Affairs. By mid-2016, an estimated 1 million people were living in besieged areas and denied life-saving assistance and humanitarian aid. The displacement of people has led to another humanitarian problem, health care for civilians in Armed Conflict. Additionally, refugees are easily vulnerable to human rights violations. As the war in Syria enters its sixth year, civilians continue to suffer from extreme violence--much of it directly targeting civilians. Syrian civilians are caught from all sides—the Assad regime, government militias, Russian airstrikes, ISIS, armed opposition groups, and anti-ISIS coalition air strikes. Civilian harm attributed to the Assad government continues to be the primary cause of death, injury and displacement, followed by the actions of ISIS. But operations of the armed opposition groups, and Russian and anti-ISIS coalition airstrikes have also reportedly resulted in civilian harm. The UN recently released a report detailing the human rights violations from the Assad regime. An asset from Syria reported that more than 10,000 people had died in government custody since the 2011 outbreak of the Syrian Civil War.

As the world has slowly started to focus less on Syria, Syrian civilians have taken it upon themselves to bring more attention to Syria. This has been done largely over social media by creating twitter accounts that showcase the hardships of everyday life in Syria.<sup>14</sup> An example of this is the twitter of Bana Alabed. Bana shocked the world with her first tweet, reading “My name is Bana, I’m 7 years old. I am talking to the world now live from East #Aleppo. This is my last moment to either live or die. – Bana.”<sup>15</sup> Syrian citizens have begun to take up arms. Opposition supporters eventually began to take up arms in Syria, first to defend themselves and later to expel security forces from their local areas. The Security Council must consider ways for peacekeeping forces to successfully protect civilians in conflict when those civilians have begun to take up arms. In a sense, in what ways can the international community ensure that civilians are able to protect themselves from harm while preventing the ignition of a larger conflict?

The Clinton Foundation is responsible for some of the humanitarian aid provided to Syrians in the Syrian conflict. In 2014, to address the ongoing Syrian civil war and its devastating impact on civilians, the Center for Civilians in Conflict (CIVIC) committed to develop a one-year project to instill civilian protection principles and tactics within some vetted members of the Syrian opposition. Building on its experience working on civil protection in numerous conflicts, CIVIC will create Syria-specific training materials, including civilian protection best practices, which will be disseminated to groups in Jordan and Turkey that have been vetted by the International Committee of the Red Cross

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<sup>13</sup> “UN General Assembly votes for resolution on human rights in Crimea.” *UNIAN*. <https://www.unian.info/politics/1687011-un-general-assembly-votes-for-resolution-on-human-rights-in-crimea.html>.

<sup>14</sup> “Massive and systematized violence: The UN released a horrifying report on Assad’s human-rights abuses.” *Business Insider*. <http://www.businessinsider.com/massive-and-systemetized-violence-the-un-just-released-a-horrifying-report-on-assads-human-rights-abuses-2016-2>.

<sup>15</sup> “Bana Alabed.” *Twitter*. <https://twitter.com/alabedbana?lang=en>.

(ICRC) and other groups. The materials will also be provided to the US Central Command (CENTCOM). Countries should possibly include the Clinton Foundation as a potential source of funding and institutional support in their working papers.

## Current Peacekeeping Operations

There are currently 15 active peacekeeping missions deployed in Africa, Asia, Europe, and the Caribbean.<sup>16</sup> While all of the missions have distinct mandates that were decided by the Security Council, the protection of civilians is the common threat that unites all of the mandates.

The UN does not have its own military force; it depends on contributions from Member States. In addition to maintaining peace and security, peacekeepers are increasingly charged with assisting in political processes; reforming judicial systems; training law enforcement and police forces; disarming and reintegrating former combatants; supporting the return of internally displaced persons and refugees.<sup>17</sup> The UN General Assembly has begun to start accepting more responsibility for the consequences of armed conflict as they impact civilians. There is a rigorous debate surrounding the effectiveness of peacekeeping that countries should continue to debate: when should missions be deployed? For long should they be deployed for? The Security Council and peacekeeping operations jointly developed a conceptual framework to improve the ability of peacekeeping forces to protect civilians. For example, training courses targeted at personnel about to deploy, as well as those already working in peacekeeping operations were developed.<sup>18</sup> These courses are aimed at military, police and civilian personnel, all important members of peacekeeping missions who can work to improve protections for civilians.

However, while the peacekeepers can and must play an important role in protecting civilians, it is not only their responsibility. Any host government has the primary responsibility for protecting its citizens. However, when a government is not able to protect its civilians the peacekeepers play an important role beyond protecting civilians as the peacekeepers must work to develop protection-capabilities in host governments. The effectiveness of the peacekeepers has already been heavily debated in the United Nations.<sup>19</sup>

## Health Care in Armed Conflict

Recently, the Security Council has adopted resolution 2286 to respond to recent events in Syria, Yemen, and elsewhere. These conflicts have highlighted the ongoing threats to health care in armed conflict, a threat that traces its roots throughout human history. For example, in 2016, over 125 health

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<sup>16</sup> “Current Peacekeeping Operations.” *United Nations Peacekeeping*. <http://www.un.org/en/peacekeeping/operations/current.shtml>.

<sup>17</sup> “Protection of Civilians” *United Nations Peacekeeping*. <http://www.un.org/en/peacekeeping/issues/civilian.shtml>.

<sup>18</sup> “Protection of Civilians.” *United Nations Peacekeeping*. <http://www.un.org/en/peacekeeping/issues/civilian.shtml>.

<sup>19</sup> “United Nations Peacekeeping Not Always as Fast, Effective as Required in Responding to Conflict, Secretary General Tells Security Council.” *United Nations*. <https://www.un.org/press/en/2015/sc12130.doc.htm>.

facilities were attacked by forces and by bombing campaigns, in November of 2016, 5 hospitals were attacked in less than 48 hours.<sup>20</sup> These attacks directly harm civilians in the short-term and prevent a return to normalcy in the long-term. The Security Council adopted resolution 2286 on 3 May 2016. Resolution 2286 strongly condemns the attacks on medical personnel, particularly against medical personal such as Medecins San Frontieres and the Red Cross that are official neutral (a neutrality established in the First Geneva Conventions).<sup>21</sup> The Security Council unanimously adopted a resolution demanding an end to impunity for those responsible and respect for international law on the part of all warring parties. Ban Ki-moon was fully in support of Resolution 2286, adding “Even wars have rules”.

We must try to understand the effects that armed conflict can have on health care and how health care is provided in a country. Several studies have been done in Nepal on this issue. Violent conflicts pose a challenge to human civilizations, human health and health systems. Epidemiological studies done in Nepal indicate that war ranks among the top-ten causes of death worldwide. This can be especially surprising in first world countries where the causes of death are usually related to obesity or smoking. It can be harder for first world countries to relate to the tragedies of war when it is not their country, but it is the job of the United Nations General Assembly and the Security Council to care for civilians in Armed Conflict. Populations affected by armed conflict experience severe public health consequences mediated by population displacement, food scarcity, and the collapse of basic health services, which together often give rise to complex humanitarian emergencies. Conflict has both direct and indirect effects on people's health and on the overall health system. Armed conflicts can also cause the displacement of people and an increase in infectious diseases.

## Questions to Consider

- How effective are the United Nations Peacekeepers when it comes to protecting civilians in armed conflict?
- Considering the funding challenges of the peacekeepers, how should funding be addressed in terms of health care?
- How should the Security Council deal with the displacement of people that can lead to an increase in infectious diseases? Should the Security Council increase sanitary requirements for camps of displaced people?
- How effective is the Security Council with peacekeeping forces if the civilians have started to oppose the security? Should security stay to protect civilians who don't want it?

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<sup>20</sup> “WHO Condemns Massive Attacks on Five Hospitals in Syria.” *World Health Organization*. <http://www.who.int/mediacentre/news/statements/2016/attacks-hospitals-syria/en/>.

<sup>21</sup> “Security Council Adopts Resolution 2286 (2016), Strongly Condemning attacks against Medical Facilities Personnel in Conflict Situations.” *United Nations Press Releases*. <https://www.un.org/press/en/2016/sc12347.doc.htm>.