

## Security Council: Topic A Primary Sources

### Evaluating Measures to Enforce International Law and Treaties

*Here are the primary sources that your moderator or legal chair thought would be helpful in gaining an understanding of the topic. These are by no means all of the sources available, just sources we wanted to highlight.*

#### **Source #1: UN Charter Chapter V**

The fifth chapter of the UN Charter outlines the composition, functions, powers and procedures of the Security Council. Given that this is a simulation of the Security Council and the topic focuses heavily on a tool of the Security Council, delegates must understand how the body functions before it can go about reforming sanctions. Importantly, the Security Council is tasked with “the maintenance of international peace and security” in Article 24 and that member states of the United Nations agree to carry out any decisions of the Security Council. Compliance with Security Council decisions is an important aspect of effective sanctions, but member nations sometimes try to flout sanctions.

<http://www.un.org/en/sections/un-charter/chapter-v/index.html>

#### **Source #2: UN Charter Articles 39, 40, 41**

These three articles form the legal basis for the Security Council to implement sanctions. Each article serves as step that the Security Council should take before escalating the situation. First, in Article 39, the Security Council must determine if there is a threat or breach of peace. Then, Article 40 gives the Security Council the power to have parties involved in the threat or breach of peace suffer a consequence. Article 41 delineates one of these consequences: economic, military and diplomatic sanctions. The Security Council clearly has the legal power to implement sanctions.

<http://www.un.org/en/sections/un-charter/chapter-vii/index.html>

#### **Source #3: Security Council Resolution 748**

This resolution was adopted in March 1992 after the Security Council decided that Libya had broken international peace for its role in the Lockerbie bombing and was refusing to allow an investigation. Therefore, pursuant to Articles 39, 40, and 41, it implemented sanctions on Libya. These were economic, military and diplomatic sanctions that sought to deprive Libya of military supplies, places for its airplanes to land and diplomatic representation. The sanctions also established a committee that was to review the sanctioning regime every 4 months.

<http://unscr.com/en/resolutions/doc/748>

#### **Source #4: Security Council Resolution 1718**

This resolution was adopted in October 2006 in response to North Korea’s nuclear weapons tests and continued pursuit of a nuclear weapons program. Passed unanimously, it implemented stringent military sanctions and tightened existing economic sanctions on North Korea. It also demanded that North Korea had to return to the six-party talks, and not conduct more nuclear or ballistic missile tests. Importantly it also required all member states to stop ships that were thought to be carrying components that would be used in chemical, biological, or nuclear weapons.

[http://www.un.org/ga/search/view\\_doc.asp?symbol=S/RES/1718%20%282006%29](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1718%20%282006%29)

#### **Source #5: Brookings Unilateral Sanctions Testimony**

This is a testimony by Richard N Haass from 1999 that was given to the United States House of Representatives. Haas testified to the effectiveness of unilateral sanctions, or those implemented by only a single nation. He found that unilateral sanctions are not effective and amount to little more

than an expression of a country's opinion because the nation targeted by sanctions can almost always find other countries willing to buy and sell them civilian or military goods.

<https://www.brookings.edu/testimonies/use-and-effect-of-unilateral-trade-sanctions/>