

NORTHWEST MODEL UNITED NATIONS



PORTLAND



Background Guide for the
UN Security Council
(SC)

December 1, 2014

Dear Delegates,

Welcome to **Northwest Model United Nations – Portland 2015** (NWMUN-Portland 2015) and the Security Council. The committee staff of the Security Council, consisting of Director Roger Tseng and Assistant Director Ana Palma-Gutierrez, is looking forward to working with you over the course of the conference.

The entire Secretariat is very excited to work with you in February and appreciate the hard work and research you are undertaking in preparation for what we are confident will be a great conference!

We are immensely pleased to present to you the background guide, written by the Security Council committee staff. The topics for the Security Council are:

- I. The Situation in the Middle East: Israel-Palestine
- II. Drug Trafficking in West Africa and the Sahel

Every participating delegation is required to submit a position paper prior to attending the conference. NWMUN will accept position papers until **Friday, January 23rd at 11:59 pm Pacific Time. Please submit all position papers to sc.portland@nwmun.org AND positionpapers.portland@nwmun.org.**

Please refer to the following pages for position paper requirements, as well as an example position paper. Delegates' adherence to these guidelines is crucial, because it not only ensures a well-prepared committee, but is also a key component of the evaluation process.

We wish each of you the best as you prepare for this conference and committee. We urge you to move beyond the background guide as you learn more about both the Member State you will represent and the topics we will be discussing. Please do not hesitate to direct any questions or concerns towards your Director or the Director-General. We look forward to meeting you at the conference!

Sincerely,

Roger Tseng
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Position Paper Guidelines

Your position paper should consist of a well-developed introduction and a summary of the position of your country on each of the topics to be discussed in your committee. It is important to remember that while you will have lots of information on your country's actions on a local or national level, you must discuss your country's position on an international level, particularly including suggestions for policies and future action that could be taken by the committee. Examples of high quality position papers are available on the NWMUN website under "Delegate Preparation."

Formatting

Position papers should be formatted using the following specifications:

1. Times New Roman
2. Size 10 – 12 font
3. Single spaced
4. 2 pages in length

Please Note: Anything over two pages will not be read.

Submission Process

NWMUN-Portland will accept position papers until **Friday January 23, 2015 at 11:59 pm Pacific Time.**

1. Please **send each position paper in a separate e-mail to the committee** with the subject line: COUNTRY – COMMITTEE
 - a. Example: BELARUS – HRC
 - b. Example: TRINIDAD & TOBAGO – GA
2. Please **CC all position paper submissions** to positionpapers.portland@nwmun.org.

General Assembly Plenary:	ga.portland@nwmun.org
United Nations Human Settlements Programme:	unhabitat.portland@nwmun.org
United Nations Population Fund:	unfpa.portland@nwmun.org
Security Council:	sc.portland@nwmun.org

Please Note: Delegates who have not submitted a position paper by the specified deadline will not be given consideration for awards.

Content Requirements

Position papers should include, and will be graded, on the following items:

1. **Formatting** and presentation;
2. **Spelling and grammar that is reflective of the level of education** being pursued by attendees to the conference.
3. The content should include:
 - a. **Background information on the topic**, why your country thinks it is important, relevant national commitments and action on the issue. Remember to focus on national policies which influence your country's action on this topic within the UN and internationally.
 - b. **International commitments and your country's support of specific resolutions**, initiatives, conventions or treaties. Describe what actions have been taken by your country to address prior international agreements made by your country.
 - c. **Specific and concrete proposals** for next steps on the topic, priority issues, and how your country can move forward on addressing the topic. This is the most important section of the position paper, and should be the longest paragraph.

Research Tips

1. Look for statements made by your country – you will often find the exact position of your country within a speech that they have been made.
2. Look for the voting record of your country, which indicates its support or lack of support for particular resolutions on the topics when they were previously discussed.
3. Look for recommendations made in Secretary-General reports or within resolutions that have been adopted in order to identify the ways in which you can move forward or take action on the topic.

Key Resources

1. **UN Website “On the Record”**: <http://www.un.org/depts/dhl/unms/>
This website provides direct access to official documents reflecting the views of United Nations Member States.
2. **UN Website “Global Issues”**: <http://www.un.org/en/globalissues/>
This website offers an overview of some of the global issues we will be discussing at NWMUN, and links to other resources where you can get additional information.
3. **UN Security Council Website**: <http://www.un.org/en/sc/>
This is the official website of the Security Council. Included in this website is information on the Council's role in the broader UN, its powers and functions, its commissions and other subsidiary bodies. Delegates can also use it to find past documentation about the Council as well as documents created by the Council, including agendas, resolutions, presidential statements, and other information.

Sample Format & Content of Position Papers

Delegation from

(Bold, Italicized, Times New Roman, Size 10-12)

[Member State]

(Bold, Times New Roman, Size 10-12)

Delegation from

(Bold, Italicized, Times New Roman, Size 10-12)

[Member State]

(Bold, Times New Roman, Size 10-12)

Position Paper for [Committee Name]

(Bold, Italicized, Times New Roman, Size 10-12, Centered)

Introductory sentence providing an overview of the topics and, if appropriate, your delegation's relationship with the committee. (Times New Roman, Size 10 – 12)

I. Topic One Title

(Bold, Italicized, Times New Roman, Size 10-12, Centered)

Paragraph #1: Background information on the topic, why your country thinks it is important, relevant national commitments and action on the issue. Remember to focus on national policies which influence your country's action on this topic within the UN and internationally.

(Times New Roman, Size 10 – 12)

Paragraph #2: International commitments and your country's support of specific resolutions, initiatives, conventions or treaties. Describe what actions have been taken by your country to address prior international agreements made by your country (Times New Roman, Size 10 – 12)

Paragraph #3: Specific and concrete proposals for next steps on the topic, priority issues, and how your country can move forward on addressing the topic. This is the most important section of the position paper, and should be the longest paragraph. (Times New Roman, Size 10 – 12)

II. Topic Two Title

(Bold, Italicized, Times New Roman, Size 10-12, Centered)

Paragraph #1: Background information on the topic, why your country thinks it is important, relevant national commitments and action on the issue. Remember to focus on national policies which influence your country's action on this topic within the UN and internationally.

(Times New Roman, Size 10 – 12)

Paragraph #2: International commitments and your country's support of specific resolutions, initiatives, conventions or treaties. Describe what actions have been taken by your country to address prior international agreements made by your country (Times New Roman, Size 10 – 12)

Paragraph #3: Specific and concrete proposals for next steps on the topic, priority issues, and how your country can move forward on addressing the topic. This is the most important section of the position paper, and should be the longest paragraph. (Times New Roman, Size 10 – 12)

(Repeat the topic header and content for other topics if your committee has more than two.)

Example Position Paper

Delegation from
Canada

Represented by
University of Southern Washington

Position Paper for the Economic and Social Council Plenary

The topics before the Economic and Social Council are: 1) Promoting Economic and Social Gender Equality as a Means to Achieve Sustainable Peace, 2) Implementing International Agreements to Ensure Global Public Health, and 3) Promoting Sustainable Cities. Canada is committed to strengthening the role of ECOSOC on the issues before it, and looks forward to promoting enhanced cooperation amongst Member States in order to reach consensus and take concrete action.

I. Promoting Economic and Social Gender Equality as a Means to Achieve Sustainable Peace

In conflict and post-conflict societies, economic and social rights are often given lower priority than political and civil rights. In these cases, women are not treated equally, and are often the victims of gender discrimination, which manifests itself in violations of human rights such as rape, violence and displacement. The prevalence of these crimes is exacerbated by a lack of protection for women, who often do not possess the right to own land, have no means to receive adequate health care and have no access to justice.

Canada has long been a champion of women's economic, social, and cultural rights. As an original signatory of the Universal Declaration of Human Rights, the International Covenant on Economic, Social, and Cultural Rights (CESCR), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Canada has a formal commitment to gender equality and, more specifically, supports the explicit and systematic integration of a gender perspective into all peace-building and foreign aid initiatives. Canada continues to press for specific initiatives with concrete and measurable outcomes when addressing gender inequality. The Canadian International Development Agency (CIDA) has developed its own Framework for Addressing Gender Equality Results. This framework has been an important advance in assessing the effectiveness of its initiatives and has consistently provided CIDA with useful and relevant data. Canada recognizes the advancements made in Security Council resolution 1820 (2008), 1888 (2009) and 1889 (2009) to strengthen the original principals of Security Council resolution 1325 (2000). However, Canada firmly believes that ensuring the implementation of SCR 1325 (2000) at the national level is vital. That is why Canada suggests that the CEDAW committee issue recommendations to both the Security Council and ECOSOC on positive models for National Action Plans (NAP) for incorporating SCR 1325 (2000), a set of progress and impact indicators through which its implementation can be monitored, and benchmarks designed towards strengthening the principals of SCR 1325 (2000).

Canada recommends that the Commission on the Status of Women (CSW), along with the ECOSOC Committee on Non-Governmental Organizations (NGOs) reach out to local NGOs and civil society organizations (CSOs) to coordinate the monitoring of, and reporting on, the progress of these NAPs. CSW will then report its findings to ECOSOC, the Security Council, and the Secretary-General. Canada urges for the adoption of benchmarks requiring 30% of UN-mandated peacekeeping forces and negotiating delegations be women. Canada also believes that while peacekeeping troops are vital to facilitating the cessation of hostilities, a separate unit with a specialized mandate is necessary to deal with the psychological and health issues of women that continue in post-conflict situations long after the

violence is over. The specialized mandate will also lay the groundwork for legal procedures that may need to be taken to ensure just peace. Canada calls for the creation of this specially trained unit to be deployed in post-conflict situations, with a specific mandate to address sexual and gender based violence, help to eliminate impunity, and offer same-sex interviewers for rehabilitation purposes. The newly created unit will facilitate reconciliation and violence prevention.

II. Implementing International Agreements to Ensure Global Public Health

Effectively addressing global public health lies at the center of achieving the Millennium Development Goals (MDGs). Through agreements such as the Paris Declaration on AID Effectiveness, the Accra Agenda for Action (AAA), and global health initiatives such as the Global Alliance for Vaccines and Immunizations (GAVI), and the Global Fund to fight AIDS, TB, and Malaria, the international community has made significant progress in addressing the world's health concerns. Canada is focused on creating frameworks and resolutions that foster greater coordination, eliminate corruption and overlap, improve AID consistency, encourage the untying of AID, emphasize a focus on national health systems, and hold all the countries involved accountable for producing tangible and measurable results.

Canada has been a leader in the use of innovative funding mechanisms, such as the Advance Market Commitment (AMC), which provides incentives for pharmaceutical companies to accelerate the development of vaccines and sell them at prices that poor countries can afford. This project, which is being implemented in coordination with the World Bank and GAVI, is expected to save an estimated 7.7 million lives by 2030. Canada will continue to urge its fellow member states to become more involved in the creation and implementation of such innovative funding mechanisms.

Especially now, due to the downturn in the global economy, where the world's poor are disproportionately suffering, there is a greater need for all donor countries to fulfill their Official Development Aid (ODA) commitments. Canada was the first country to fulfill its G8 commitment to double ODA in Africa by 2008, and throughout the world by 2010. This has been accomplished through both the African Health Systems Initiative (AHSI) and the Catalytic Initiative to Save a Million Lives. Canada has not only committed USD 450 million to these initiatives, but with them has demonstrated its focus on both strengthening, and developing local ownership, of national health systems. Canada urges the implementation of year-by-year funding targets to ensure that ODA commitments for health initiatives are kept. Currently The Measles Initiative is facing a funding gap of \$59 million for 2010, and the Global Fund to fight AIDS, TB, and Malaria is also facing a funding crisis of \$5 billion for this year. These gaps in funding could cause millions their lives. Canada strongly urges it fellow member states to fulfill their commitments to these funds.

Canada is also a strong proponent of the International Health Partnership & Related Initiatives (IHP+). The Canadian International Development Agency (CIDA), through the IHP+ framework, is the chair of the Mozambique National AIDS Council (CNCS) and has made long-term financial commitments to IHP+. Canada believes that IHP + will not only prove to be extremely effective in addressing the issues of AID effectiveness, redundancy, and accountability, but will also go a long way towards creating a united front dedicated to improving global public health. Canada urges for the creation of new commitments that compel 15 Organization for Economic Co-operation and Development (OECD) countries to join in either bilateral or compact agreements through IHP+ by 2020.

The Security Council at NWMUN – Portland 2015

The NWMUN-Seattle Secretariat works each year to create as accurate a simulation as is possible for our delegates. Therefore, we have developed some additional ways for delegates to interact within the simulation, including enabling delegates to take action other than passing resolutions on an issue. This section aims to provide additional, specific information for the Security Council at NWMUN – Portland 2015.

Briefings

While discussing a topic, Security Council delegates are able to receive briefings from representatives of relevant Member States or UN subject matter experts. The specific thematic experts available will be announced on the NWMUN website, as well as the beginning of the conference.

Mandate

The Security Council has primary responsibility, under the United Nations Charter, for the maintenance of international peace and security.

Functions & Powers

- To investigate any dispute or situation which might lead to international friction;
- To recommend methods of adjusting such disputes or the terms of settlement;
- To formulate plans for the establishment of a system to regulate armaments;
- To determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- To call on members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- To take military action against an aggressor, including through the establishment or extension of peacekeeping or political missions.

Outcome Documents

When taking action on a topic, the Security Council can adopt **resolutions**, and issue **presidential statements** and **press statements**.

Rules of Procedure

The Security Council has its own rules, which will be incorporated into our simulation and available to all delegates during the conference, as well as prior to the conference on our website.

Members of the Security Council at NWMUN – Portland 2015

Argentina
Chile
Jordan
Nigeria
Rwanda

Australia
China
Lithuania
Republic of Korea
United Kingdom

Chad
France
Luxembourg
Russian Federation
United States of America

Security Council Committee Overview

Introduction

According to Article 1(1) of the Charter of the United Nations (1945), the first purpose of the United Nations (UN) is to “maintain international peace and security [and] to take effective and collective measures for the prevention of threats.”¹ The Security Council is the principal organ with the responsibility to determine the existence of threats to peace and recommend measures to maintain security in the international community.²

Since its creation in 1945, the Security Council has responded to emerging conflict and instability through a range of actions, including establishing peacekeeping and political operations and targeted diplomatic and economic sanctions, with the adoption of resolutions and presidential statements.³ Between 1987 and 2000, the Security Council established over three dozen peacekeeping missions, including in Bosnia and Herzegovina, Rwanda, Sudan, Kuwait, Namibia, Angola, Haiti, Liberia, Sierra Leone, and Somalia.⁴ Currently, the Security Council has adopted mandates for 27 peacekeeping and political operations in Asia, Africa, the Americas, and Europe.⁵ The Security Council also addresses crosscutting thematic issues such as “Children and Armed Conflict,” “Women and Peace and Security,” and “Protection of Civilians in Armed Conflict,” alongside country-specific and regional topics to attempt to address security threats and potential threats.

Mandate

Since the Security Council is responsible for the maintenance of international peace and security, the body has a number of tools at its disposal. These include establishing economic and diplomatic sanctions, arms embargoes, and travel bans, as well as collective military action through authorization of peacekeeping forces.⁶ UN peacekeepers that act under the Security Council are often mandated to play a role in disarmament, security sector reform, human rights protection, and promotion of economic recovery and development.⁷

According to Article 34 of the Charter of the United Nations, the Security Council may investigate any situation that could potentially lead to international friction or dispute, in order to determine whether the situation will progressively endanger international peace and security.⁸ The Security Council responds to crises on a case-by-case basis upon request from a Member State or the Secretary-General. The body takes many factors into account when considering whether or not to establish a peacekeeping mission, such as whether there is a ceasefire in place, whether there is a clear political goal that exists and can be reflected in the mandate, whether a precise mandate for a UN operation can be formulated, or whether the safety of UN personnel can be ensured.⁹

Article 29 of the Charter states that the Security Council may establish subsidiary bodies as needed for the performance of its responsibilities.¹⁰ The function of these subsidiary bodies can range from working groups to committees that discuss procedural matters, such as documentation and membership, and substantive measures, such as monitoring sanction regimes, counter-terrorism, and peacekeeping operations.¹¹ For example, the Security Council Informal Working Group on Documentation and Other Procedural Questions (IWG) was established in June 1993 to improve the process by which the Security Council addresses issues concerning its documentation and

¹ United Nations, *Charter of the United Nations*, 1945. <http://www.un.org/en/documents/charter/>

² *Ibid.*

³ United Nations, *History of the United Nations*, 2014. <http://www.un.org/en/aboutun/history/>

⁴ UN Department of Peace Keeping Operations, *Past Peacekeeping Operations*, 2014. <http://www.un.org/en/peacekeeping/operations/past.shtml>

⁵ UN Department of Peace Keeping Operations, *Current Peacekeeping Operations*, 2014. <http://www.un.org/en/peacekeeping/operations/current.shtml>

⁶ UN Security Council, *What is the Security Council?*, 2013. <http://www.un.org/en/sc/about/>

⁷ UN Department of Peacekeeping Operations, *Mandates and Other Legal Basis of Peacekeeping*, 2013. <http://www.un.org/en/peacekeeping/operations/pkmandates.shtml>

⁸ United Nations, *The Charter of the United Nations*, 1945, Chapter VI. <http://www.un.org/en/documents/charter/>

⁹ Nasu, Hitoshi, *The UN Security Council's Responsibility and Responsibility to Protect*, 2012. http://www.mpil.de/files/pdf3/mpunyb_08_Nasu_151.pdf

¹⁰ UN Security Council, *Structure: Part of the U.N. System*, 2014. <http://www.un.org/en/sc/about/structure.shtml>

¹¹ UN Security Council, *What is the Security Council?*, 2014. <http://www.un.org/en/sc/about/>

procedural questions.¹² Another group, the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, works to prevent and resolve violence and other security threats in Africa.¹³

The Council has the power to recommend the admission of new members in the UN General Assembly, advises the General Assembly on the appointment of the Secretary-General, and elect judges to the International Court of Justice (ICJ) concurrently with the General Assembly.¹⁴ The Security Council has the primary authority to address peace and security issues, however, the GA may take action in cases of a threat to the peace when the Security Council has failed to act owing to the negative vote of a permanent Security Council member.¹⁵ According to General Assembly resolution 377(V) A (1950), the General Assembly may consider the matter immediately and recommend to its members collective measures to maintain or restore international peace and security.¹⁶

Article 25 of the Charter of the United Nations states that “members of the United Nations agree to accept and carry out the decision of the Security Council,” making the SC’s resolutions legally-binding upon all Member States.¹⁷ The Security Council’s power to legally bind resolutions allows the body to act as a force of collective security.¹⁸ The Council is the only UN entity that has the power to adopt binding resolutions.¹⁹

According to Article 27 of the Charter of the United Nations, each member of the Security Council shall have one vote.²⁰ Procedural decisions require an affirmative vote of nine members.²¹ Decisions of the Security Council on substantive matters require an affirmative vote of nine members, including the concurring votes of the permanent members.²² In practice, this means that substantive votes may have one or more permanent members abstaining as long as none of them vote against. When a permanent member votes against a substantive motion, the resolution is “vetoed” and it will automatically fail, regardless if there are more than nine other votes in favor.

Governance, Structure, and Membership

The Security Council has a total of 15 members. The five permanent members, often referred to as the “P5,” China, France, Russian Federation, the United Kingdom, and the United States of America.²³ The five permanent members were victorious allied states in the Second World War.²⁴ Originally there were six non-permanent members, rotating every two years and distributed on a geographic basis.²⁵ This was revised in 1965, when the number of non-permanent members was increased to ten.²⁶ Non-permanent members, five of which are elected each October by the General Assembly Plenary, hold two-year terms that stagger so that five new members join the Council each year.²⁷

¹² UN Security Council, *Security Council Informal Working Group on Documentation and Other Procedural Questions*, 2014. <http://www.un.org/sc/wgdocs/>

¹³ UN Security Council, *Ad Hoc Working Group on Conflict Prevention and Resolution in Africa*, 2014. <http://www.un.org/sc/committees/ahwga/>

¹⁴ UN Security Council, *Functions and Powers*, 2013. <http://www.un.org/en/sc/about/functions.shtml>

¹⁵ UN Security Council, *Relations with Other United Nations Organs, Repertoire of the Practice of the Security Council*, 2014. <http://www.un.org/en/sc/repertoire/>

¹⁶ UN General Assembly, *Functions and Powers of the General Assembly*, 2014. <http://www.un.org/en/ga/about/background.shtml>

¹⁷ United Nations, *Charter of the United Nations*, 1945, Article 25. <http://www.un.org/en/documents/charter/>

¹⁸ *Ibid.*

¹⁹ UN Department of Public Information, *The United Nations Today*, 2008, p. 73.

²⁰ United Nations, *Charter of the United Nations*, 1945, Article 27. <http://www.un.org/en/documents/charter/>

²¹ UN Security Council, *Voting System and Records*, 2014. <http://www.un.org/en/sc/meetings/voting.shtml>

²² United Nations, *Charter of the United Nations*, 1945, Article 27. <http://www.un.org/en/documents/charter/>

²³ UN Security Council, *Current Members*, 2014. <http://www.un.org/en/sc/members/>

²⁴ *Ibid.*

²⁵ United Nations, *Member States on the Record*, 2014. <http://www.un.org/depts/dhl/unms>

²⁶ UN Foundation, *What We Do: The UN Security Council*, 2014. <http://www.unfoundation.org/what-we-do/campaigns-and-initiatives/>

²⁷ UN High Commissioner for Refugees, *63rd Session of the Executive Committee of the High Commissioner’s Programme*, 2014. <http://www.unhcr.org/5028f5129.pdf> ;

UN Security Council, *Current Members*, 2014. <http://www.un.org/en/sc/members/>

In order to ensure broad representation, five of the ten non-permanent members are selected from the regional groups: Africa and Asia, one from Eastern Europe, two from Latin America, and two from Western Europe.²⁸ An informal agreement between the African and Asian groups alternate electing one Middle Eastern country, in order to ensure representation of that region on the Council.²⁹ To be elected, a candidate must receive a two-thirds majority vote and is expected to serve on the Security Council for two years.³⁰

There have been frequent calls to reform the membership of the UN Security Council, the most prominent of which calls to include Japan, Germany, India and Brazil – together known as the G4 – as permanent members.³¹ Japan and Germany are the second and third largest contributors to the UN budget.³² The G4 states support each other's bids for permanent seats on the United Nations Security Council; the United Kingdom, France, and the Russian Federation are said to also support permanent G4 membership on the Security Council.³³ Changes to the membership of the Council would require an amendment to the Charter of the United Nations, which would necessitate 2/3 of all UN Member States adopt the amendment via their "respective constitutional processes."³⁴

Recent Sessions

Over the past year, the Security Council has adopted more than 40 resolutions on the situations in more than 30 countries and subregions, including Cyprus, South Sudan, Mali, the Middle East, Guinea-Bissau, Western Sahara, Liberia, and Libya.³⁵ The Security Council also adopted resolutions on some important crosscutting thematic issues, including "Women, Peace and Security," "Peacekeeping Operations," "Protection of Civilians in Armed Conflict," and "Children and armed conflict."³⁶ Particularly notable was the adoption of Resolution 2122 (2013), on "Women, Peace and Security," which reinforced previously adopted resolutions on the agenda item and also reinforced the Council's obligation to mainstream gender across all aspects of its work.³⁷

In September 2014, in response to recent actions taken by the Islamic State in Iraq and the Levant (ISIL) and the threat that non-state actors, particularly "foreign fighters" pose to international peace and security, the Security Council adopted Resolution 2178 (2014).³⁸ The resolution condemns groups engaging in acts of violent extremism and reaffirms that States have a responsibility to manage effective border control and take other security measures prevent the movement of terrorists.³⁹ Furthermore, the resolution calls for international cooperation and asks that States to develop bilateral agreements, when appropriate, and to have greater information sharing.⁴⁰

Conclusion

In recent years, the Security Council has added an additional focus on the humanitarian aspect of security issues, while continuing to deploy peacekeeping troops in conflict areas. The Security Council can act as a powerful force for global change, including creating progress on women in conflict areas, the situation in areas affected by the LRA, and country-specific situations such as conflicts in Cyprus. The Council can act as an incredibly powerful force for change, and delegates should reflect on its strengths and weaknesses as they consider the Council's agenda.

²⁸ UN Dag Hammarskjöld Library, *Security Council: Introduction*, 2013.

<http://research.un.org/content.php?pid=337783&sid=2762357>

²⁹ Lai and Lefler, *U.N. Security Council Non-Permanent Membership: Equitable Distribution for Equitable Representation*, 2009. <http://myweb.uiowa.edu/bhlai/workshop/lailefler.pdf>

³⁰ Worth, Robert, *Saudi Arabia Rejects U.N. Security Council Seat in Protest Move*, 2013.

<http://www.nytimes.com/2013/10/19/world/middleeast/saudi-arabia-rejects-security-council-seat.html?pagewanted=all>

³¹ UN Foundation, *What We Do: The UN Security Council*, 2014. <http://www.unfoundation.org/what-we-do/campaigns-and-initiatives/>

³² Congressional Research Service, *United Nations Regular Budget Contributions: Members Compared, 1990-2000*, 2013. <http://fas.org/sgp/crs/row/RL30605.pdf>

³³ UN Security Council, *Permanent Members and Non-Permanent Members*, 2014. <http://www.un.org/en/sc/members/>

³⁴ United Nations, *Charter of the United Nations*, 1945, Article 108. <http://www.un.org/en/documents/charter/>

³⁵ UN Security Council, *Security Council Resolutions*, 2014. <http://www.un.org/en/sc/documents/resolutions/2014.shtml>

³⁶ *Ibid.*

³⁷ UN Security Council, *Women and Peace and Security (S/RES/2122)*, 2013. [http://undocs.org/S/RES/2122\(2013\)](http://undocs.org/S/RES/2122(2013))

³⁸ UN Security Council, *Resolution 2178 (S/RES/2178)*, 2014. [http://undocs.org/S/RES/2178\(2014\)](http://undocs.org/S/RES/2178(2014))

³⁹ *Ibid.*

⁴⁰ *Ibid.*

I. The Situation in the Middle East: Israel-Palestine

Introduction

The United Nations (UN) and the international community have focused a significant amount of attention on the Israeli-Palestinian conflict over the last 60 years. The most recent outbreak of violence in the Gaza Strip earned international attention occurred between July and August 2014, during which five UN facilities were hit, including a UN Relief and Works Agency (UNRWA) school in Rafah which provided shelter to thousands of civilians.⁴¹ The attacks on the UN facilities have been recognized as a gross violation of international humanitarian law.⁴² In order to address the situation, it is important to understand the complicated history, including the religious, political and economic dynamics. The Security Council's aim in considering this topic has been to follow up on the implementation of numerous existing resolutions and, more broadly, how international human rights and humanitarian law.

History of the Situation

Prior to and during the First World War, the geographical area that now comprises Syria, Lebanon, Jordan, Israel and Palestine was part of the Ottoman Empire. In 1917, the United Kingdom entered and occupied the region now known as Palestine, and their *de facto* control over the area was codified by the nascent League of Nations by giving the British a Mandate for control over the Palestine region.⁴³ The Mandate was created pursuant to Article 22 of the Covenant of the League of Nations, which allowed for formerly Ottoman territories “which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world [to be controlled by] “advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.”⁴⁴

During the First World War, the UK made three agreements or commitments related to the territory: The Hussein-McMahon Correspondence of 1915; the Sykes-Picot Agreement in 1916; and the Balfour Declaration of 1917.⁴⁵ The Hussein-McMahon Correspondence was a series of letters between British High Commissioner in Egypt Sir Henry McMahon and Sharif of Mecca Hussein bin Ali, pledging the UK to support Arab independence in the majority of Arab-populated former Ottoman lands in exchange for Arab support of Britain in the war; this Arab support of the British is commonly referred to as the Arab Revolt.⁴⁶ In 1916, the Sykes-Picot Agreement secretly reached between Britain and France authorized continued external control over non-Turkish Ottoman lands after the presumed Allied victory in WWI; the majority of what became Mandate Palestine was committed to international governance in consultation with Russia, Sharif Hussein, and “other allies”, while the remainder of the Palestine region was to be under the exclusive influence of the British, though the agreement did anticipate future negotiations with Arab leaders.⁴⁷ Finally, the Balfour Declaration of 1917 was a letter from UK Foreign Secretary Arthur James Balfour in which the UK government “view[ed] with favour the establishment in Palestine of a national home for the Jewish people.”⁴⁸ Article 2 of the Mandate explicitly stated that the civil and religious rights of people in the territory of Palestine must be protected regardless of race and religion as “the Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish

⁴¹ UN Secretary-General, *Statement Attributable to the Spokesman for the Secretary-General on Attack outside UNRWA Shelter*, 2014. <http://www.un.org/sg/statements/?nid=7904>

⁴² UN Secretary-General, *Statement Attributable to the Spokesman for the Secretary-General on Attack outside UNRWA Shelter*, 2014. <http://www.un.org/sg/statements/?nid=7904>

⁴³ Ad Hoc Committee on the Palestinian Question, *Communication from the United Kingdom Delegation to the United Nations (A/AC.14/8)*, 1947. <http://unispal.un.org/UNISPAL.NSF/0/16B8C7CC809B7E5B8525694B0071F3BD>

⁴⁴ League of Nations, *The Covenant of the League of Nations*, 1919. <http://unispal.un.org/UNISPAL.NSF/0/6CB59816195E58350525654F007624BF>

⁴⁵ Middle East Research and Information Project, *Primer on Palestine, Israel and the Arab-Israeli Conflict*, n.d. <http://www.merip.org/primer-palestine-israel-arab-israeli-conflict-new>

⁴⁶ Farsoun, *Palestine and the Palestinians*, 1997, p. 67-68. <http://www.thejerusalemfund.org/ht/d/ContentDetails/i/2962>

⁴⁷ France and the United Kingdom, *Sykes-Picot Agreement*, 1916. <http://unispal.un.org/UNISPAL.NSF/0/232358BACBEB7B55852571100078477C>

⁴⁸ Israel Ministry of Foreign Affairs, *The Balfour Declaration*, n.d. <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20balfour%20declaration.aspx>

national home, as laid in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.”⁴⁹

The League of Nations was dissolved on 18 April 1946, causing Great Britain to lose its role as the Trustee of the Mandate and pass its duties on to the UN on 14 May 1948.⁵⁰

1948: The State of Israel and the Partition Plan for Palestine

On 29 November 1947, the General Assembly adopted resolution 181 (II), titled *Future Government of Palestine*, which retained the unity of Jerusalem by providing for an international regime under UN control.⁵¹ This resolution is better known as the Partition Plan and highlighted the creation of two independent states to avoid future conflict: “an independent Arab State and an independent Jewish State, with Jerusalem, internationalized.”⁵² On 14 May 1948, the independence of the State of Israel was proclaimed by the National Council of the Jewish people in Palestine.⁵³ Israel applied to be recognized as a Member State of the United Nations on 29 November 1948.⁵⁴ The General Assembly thought that recognizing Israel as a Member State would create a democratic spirit and encourage the Arab States to contribute to establishing peace in the Middle East; however, the Arab States strongly opposed Israel’s application.⁵⁵

Arab and Jewish populations in the region had been fighting since the establishment of resolution 181; this expanded into a larger conflict between these populations and neighboring Arab armies known as the 1948 Arab-Israeli war. During the war, over 700,000 Palestinians were expelled from their homes and territory, a number that represented half of the population of Mandate Palestine.⁵⁶ By the conclusion of the war, Israel had expanded to 77% of the territory of Mandate Palestine, including a larger part of Jerusalem than the Partition Plan had initially allocated.⁵⁷

1967 Six-Day War and 1973 Arab-Israeli War

On 5 June 1967, hostilities broke out between Israel on one side and Egypt, Jordan, and Syria on another, thus marking the beginning of the Six-Day War.⁵⁸ By the time a ceasefire called by the Security Council was accepted by the parties, Israel had occupied the Egyptian Sinai, the Gaza Strip, the West Bank including East Jerusalem, and part of the Syrian Golan Heights.⁵⁹ Israel holds all of these territories under some form of occupation until today, with the exception of the Egyptian Sinai, which was returned to Egypt in 1982 pursuant to the Israeli-Egyptian Camp David Accords of 1978.⁶⁰ On 14 June 1967, Security Council Resolution 237 (S/RES/237) called upon Israel to ensure the safety, welfare, and security of the inhabitants of the areas under military occupation, and to facilitate the return of displaced persons.⁶¹ These displaced persons included an estimated 400,000 Palestinians displaced by the

⁴⁹ League of Nations, *Mandate for Palestine*, 1922.

<http://unispal.un.org/UNISPAL.NSF/0/2FCA2C68106F11AB05256BCF007BF3CB>

⁵⁰ *Ibid.*

⁵¹ UN General Assembly, *Future Government of Palestine* (A/RES/181(II)), 1947.

<http://unispal.un.org/unispal.nsf/0/7F0AF2BD897689B785256C330061D253>

⁵² UN General Assembly, *Application of Israel for Admission to Membership in the United Nations*, 1948.

<http://unispal.un.org/unispal.nsf/d0911f77d9bb1f14852574050052b8d6/4a9a96807f788857052566c60059d4ff?OpenDocument&Highlight=0,Israel,Independence>

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ Vidal, *The expulsion of the Palestinians re-examined*, 1997. <http://mondediplo.com/1997/12/palestine;>

Bocco, *UNRWA and the Palestinian Refugees: A history within history*, 2010.

<http://www.unrwa.org/userfiles/201006109359.pdf>

⁵⁷ United Nations, *The Question of Palestine and the United Nations*, 2008, pp. 15-22. <http://unispal.un.org/pdfs/DPI2499.pdf>

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Camp David Accords: The framework for peace in the Middle East*, 1978.

http://avalon.law.yale.edu/20th_century/campdav.asp

⁶¹ United Nations, *The Question of Palestine and the United Nations*, 2008, pp. 15-22. <http://unispal.un.org/pdfs/DPI2499.pdf>

1967 war; this number includes roughly 200,000 people who were also displaced, in the 1948 war.⁶² The Israeli government was called upon to respect scrupulously the humanitarian principles governing the protection of civilian in time of war as defined in the Fourth Geneva Convention of 1949.⁶³ A third Arab-Israeli War, in 1973, had little direct effect on Palestine or territorial control, but did have the effect of localizing the Palestinian struggle; following the 1973 war, the Palestinians, and not the Arab states, have been the primary party (along with Israel) to the situation.⁶⁴

1977-1990: Lebanon, ICQP, Intifada

With the intentions of eliminating the Palestinian Liberation Organization (PLO), on March 1978, Israeli forces invaded southern Lebanon following a Palestinian commando raid into Israel.⁶⁵ As a result, the Security Council called on Israel to withdraw its forces from Lebanese territory.⁶⁶ At the request of Lebanon, the Security Council established the United Nations Interim Force in Lebanon (UNIFIL), with a mandate to confirm the withdrawal of Israeli forces from the region.⁶⁷ In addition, the mandate called for the restoration of peace and security and assistance to the Lebanese Government to re-establish its authority in the southern part of the country.⁶⁸

From 29 August to 7 September 1983, the International Conference on the Question of Palestine (ICQP) was convened at the United Nations Office at Geneva to seek effective ways and means to enable the Palestinian people to attain and exercise their inalienable rights.⁶⁹ The Conference adopted the following principles: the need to oppose Israeli settlements; the need for Israeli actions to change the status of Jerusalem; the right of all States in the region to existence within secure and internationally recognized boundaries; and the attainment of the legitimate, inalienable rights of the Palestinian people.⁷⁰ In 1987, a mass uprising against the Israeli occupation began in the occupied Palestinian territory (oPt); this became known as the first Intifada.⁷¹ Methods used by Israeli military forces during the first Intifada resulted in mass injuries and heavy loss of life among the civilian Palestinian population.⁷² After 40 years of conflict, on 15 November 1988, the Palestinian National Council meeting in Algiers proclaimed the establishment of the State of Palestine.⁷³

Madrid Conference

On 19 October 1991, a Peace Conference was convened in Madrid, with the aim of achieving a peaceful settlement through direct negotiations between Israel and the Arab States, and between Israel and Palestinians, based on Security Council resolutions 242 and 338.⁷⁴ The multilateral negotiations made at the Conference were focused on region-wide issues pertaining the environment, arms control, refugees, water, and economy.⁷⁵ The multilateral negotiations made at the Conference were focused on region-wide issues pertaining the environment, arms control, refugees, water, and economy.⁷⁶

⁶² Forced Migration Online, *Palestinian Refugees in the West Bank and the Gaza Strip: Causes and Consequences*, n.d. <http://www.forcedmigration.org/research-resources/expert-guides/palestinian-refugees-in-the-west-bank-and-the-gaza/causes-and-consequences>

⁶³ United Nations, *The Question of Palestine and the United Nations*, 2008, pp. 15-22. <http://unispal.un.org/pdfs/DPI2499.pdf>

⁶⁴ NPR, *The Mideast: A Century of Conflict*, 2002. http://www.npr.org/news/specials/mideast/history/transcripts/10042002-friday_yom.kippur.war.html

⁶⁵ UNISPAL, *The History of the Question of Palestine*, 2014. <http://unispal.un.org/unispal.nsf/his.htm?OpenForm>

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ United Nations, *The Question of Palestine and the United Nations*, 2008, pp. 97-107. <http://unispal.un.org/pdfs/DPI2499.pdf>

⁶⁹ Geneva Convention relative to the Report of the International Conference of the Question of Palestine of 29 August-7 September 1983. <http://unispal.un.org/UNISPAL.NSF/0/6F71BD16D6273ABC052565C9005730E6>

⁷⁰ *Ibid.*

⁷¹ UNISPAL, *The History of the Question of Palestine*, 2014. <http://unispal.un.org/unispal.nsf/his.htm?OpenForm>

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

Oslo Declaration of Principles, Peace Treaties, Palestinian National Authority

The Declaration of Principles on Interim Self-Government Arrangements (DOP or the “Oslo Accords”) was signed on 13 October 1993 by the Government of the State of Israel and the PLO.⁷⁷ Under the Annex, both Israel and Palestine agree that after decades of confrontation and conflict a time for peace was necessary.⁷⁸ The Declaration led to the partial withdrawal of Israeli forces from Gaza and the West Bank, the return of the PLO and its leadership to Palestine, the creation of the Palestinian Authority to provide partial governance over the West Bank and Gaza, the partial release of prisoners, and the establishment of a functioning legitimacy in the mobilization and provisions of international assistance.⁷⁹

Recent Events

The second Intifada began in 2000 and led to the construction of a West Bank separation wall, located mostly within the oPt.⁸⁰ In 2003, the Security Council affirmed the two-state solution.⁸¹ Furthermore, in 2003, the United States, the United Kingdom, the Russian Federation and the UN (known as the Quartet) released a “road map” of actions which would lead to a two-state solution.⁸²

On 9 July 2004, the International Court of Justice (ICJ) deemed the Israeli construction of the Separation Barrier in Palestinian Territory as illegal.⁸³ On 9 July 2014, the Committee on the Exercise of the Inalienable Rights of the Palestinian People released a statement calling on Israel to dismantle the Barrier immediately and to compensate Palestinians that had suffered as a result of it.⁸⁴ According to the statement, 86 percent of the wall runs through East Jerusalem and the West Bank.⁸⁵ As a result, there has been confiscation and *de facto* annexation of Palestinian land and property, resulting in the displacement of thousands of Palestinians.⁸⁶

The Committee also condemned the lack of action by the Security Council on the matter, and called for the body to act urgently regarding Israel’s violations.⁸⁷ Further, the Committee called on the international community “to take tangible political, diplomatic and economic steps to hold Israel to account.”⁸⁸ Finally, the Committee reaffirmed the ICJ’s ruling that all State Parties to the Fourth Geneva Convention are responsible for holding Israel accountable for the Separation Barrier and violations of international humanitarian law.⁸⁹

International and Regional Framework

The Charter of the United Nations, specifically Chapters VI and VII, establish that the Security Council has the responsibility to peacefully settle disputes and take action with respect to threats to peace, breaches of peace and acts of aggression.⁹⁰ Chapter VI calls for parties with any disputes to seek a solution, on their own, by negotiation, enquiry, mediation, conciliation, arbitration, and judicial settlement to the continuance of conflict endangering the maintenance of international peace and security.⁹¹ Articles 34 to 37 state the role of the Security Council in the investigation, recommendations, and negotiations of conflict.⁹² Chapter VII highlights the steps and actions the

⁷⁷ UN General Assembly, *Report of the Secretary General on the Work of the Organization (A/RES/48/486)*, 1993.

⁷⁸ *Ibid.*

⁷⁹ UNISPAL, *The History of the Question of Palestine*, 2014. <http://unispal.un.org/unispal.nsf/his.htm?OpenForm>

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ UN Meetings Coverage and Press Releases, *Palestinian Rights Committee, 10 Years after International Court of Justice Advisory Opinion, Urges Removal of Barrier Wall*, 2014. <http://www.un.org/press/en/2014/gapal1308.doc.htm-0>

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ UN Meetings Coverage and Press Releases, *Palestinian Rights Committee, 10 Years after International Court of Justice Advisory Opinion, Urges Removal of Barrier Wall*, 2014. <http://www.un.org/press/en/2014/gapal1308.doc.htm-0>

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Charter of the United Nations*, 26 June, 1945, Ch.VI. <http://www.un.org/en/documents/charter/chapter1.shtml>

⁹¹ *Ibid.*

⁹² *Ibid.*

Security Council can take in the solution of conflicts if and when party states fail to find solutions by themselves.⁹³ Chapter VII explicitly states that the Council may take action by any means necessary to maintain or restore international peace, providing the mandate for the establishment of peacekeeping operations.⁹⁴

On 12 August 1949, the Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) was adopted as the set of rules that each state would follow when occupying another state in times of war.⁹⁵ Article 27 states that protected persons, regardless of age and sex, are entitled to respect, honor and dignity, family rights, religious rights, and rights to customs.⁹⁶ In addition, women are protected from any attacks against their honor, rape, and forced prostitution.⁹⁷

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in the General Assembly in 1979 and is considered to be the international bill of women rights.⁹⁸ In its preamble and 30 articles, CEDAW considers the discrimination against women as a threat to the equality of human rights and the respect for the dignity of all persons.⁹⁹ States party to the Convention are called upon to reflect equality between men and women in their respective national constitutions and legislations.¹⁰⁰

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict came into force on 12 February 2002 and condemned the targeting of children in armed conflict and the direct attack of schools and hospitals.¹⁰¹ Further, the Convention further condemns the recruitment, training, and use of children in military roles.¹⁰² More specifically, the treaty states that all recruitment must be strictly voluntary and specifies that individuals must be 18 years of age upon recruitment. Finally, all recruitment must be made by the legitimate armed forces of a State.¹⁰³

On 1 April 2014, Palestine acceded to the four Geneva Conventions (including the Fourth Convention), along with other international treaties and conventions, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Optional Protocol on the Convention on the Rights of the Child on the involvement of children in armed conflict.¹⁰⁴ Israel is a party to the 1949 Geneva Conventions, but not to the first and second 1977 Additional Protocols, nor do they consider themselves legally obligated to uphold the Rome Statute, despite being a signatory.¹⁰⁵ With relation to the applicability of the Fourth Geneva Convention, Israel does not view Palestinian territory as “occupied” under the terms of the Convention.¹⁰⁶ Israel has acceded to the core human rights conventions, including CEDAW and the CRC.¹⁰⁷

⁹³ Ibid, Ch. VII.

⁹⁴ Ibid.

⁹⁵ Comité International Genève, *Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, 1949.
<https://www.icrc.org/ihl/INTRO/380>

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*, 18 December 1979.
<http://www.refworld.org/docid/3ae6b3970.html>

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ UN General Assembly, *Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (A/RES/54/263)*, 2000.
<http://undocs.org/A/RES/54/263>

¹⁰² UN General Assembly, *Optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (A/RES/54/263)*, 2000.
<http://undocs.org/A/RES/54/263>

¹⁰³ Ibid.

¹⁰⁴ OHCHR, *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*, 2002. <http://palestineun.org/statement-by-ambassador-feda-abdelhady-nasser-deputy-permanent-observer-of-the-state-of-palestine-to-the-united-nations-before-the-general-assembly-high-level-event-on-the-contributions-of-human-rig/>

¹⁰⁵ Geneva academy of international humanitarian law and human rights, *Israel: International treaties adherence*, n.d.
http://www.geneva-academy.ch/RULAC/international_treaties.php?id_state=113

¹⁰⁶ Israel Ministry of Foreign Affairs, *Israeli Settlements and International Law*, 2001.

<http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israeli%20settlements%20and%20international%20law.aspx>

¹⁰⁷ Ibid.

UN System Involvement

Security Council

The situation in Israel and Palestine has been an agenda item for the United Nations Security Council since 1947, when hostilities erupted between the newly established State of Israel and its Arab neighbors. The Security Council called for cessation of violence and subsequently established the first peacekeeping mission to monitor the negotiated armistice, the United Nations Truce Supervision Organization (UNTSO), with the adoption of resolution 50 (1948).¹⁰⁸ Since then, UNTSO has performed various tasks entrusted to it by the Security Council, including the supervision of the General Armistice Agreements of 1949 between Israel and its Arab neighbors; the observation of the ceasefire in the Suez Canal area and the Golan Heights following the Arab-Israeli war of June 1967; and the assistance to the UN Interim Force in South Lebanon to fulfill its mandate.¹⁰⁹

UNTSO is headquartered in Jerusalem and operates in five Middle Eastern countries—Israel, Lebanon, Syria, Jordan, and Egypt.¹¹⁰ Further, UNTSO's military observers and administrative staff support the peacekeeping operations in Lebanon and the Golan Heights, as well as provides a monitoring team to patrol the Sinai in Egypt and Israel, and maintains liaison offices in Beirut, Lebanon (UNLOB), and Damascus, Syria (UNLOD).¹¹¹

On 12 October 1990, the Security Council unanimously adopted Resolution 672 (1990), condemning the acts of violence committed by Israeli security forces on 8 October 1990 at Al-Haram Al-Sharif (also known as the Temple Mount) in Jerusalem and other Holy Places of Jerusalem, which resulted in over 20 Palestinian deaths and the injury of more than 150 people.¹¹² On 24 October 1990, the Security Council adopted resolution 673 (1990), deploring the refusal of the Israeli government to receive the mission of the Secretary-General and urging it to comply with resolution 672 (1990).¹¹³ Two months later, on 20 December 1990, in order to ensure the safety and protection of the Palestinian population under Israeli occupation the Security Council adopted resolution 681 (1990).¹¹⁴

Over the 15 years, the Security Council discussed a range of issues related to the situation, including the start and suspension of direct negotiations between Israel and Palestine, the deteriorating humanitarian situation, the ongoing settlement activity, and the overall political situation in the region.¹¹⁵ In December 2008 and January 2009, the Council “held a series of meetings in response to a major Israeli military operation in Gaza against Hamas, which resulted in heavy civilian casualties, and adopted a resolution in response to the situation.”¹¹⁶ For the majority of 2009, the Council “focused its efforts on responding to the ongoing situation in Gaza,” and discussed the broader regional implications of the situation.¹¹⁷ On 19 November 2003, the Security Council adopted resolution 1515 (2003) which endorsed the Quartet Performance-based Roadmap to Permanent Two-State Solution to the Israeli-Palestinian conflict, in addition to calling on the parties to fulfill their obligations under the Roadmap in cooperation with the Quartet.¹¹⁸

¹⁰⁸ UNISPAL, *The History of the Question of Palestine*, 2014. <http://unispal.un.org/unispal.nsf/his.htm?OpenForm>

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

¹¹¹ *Ibid.*

¹¹² Palestine, *Palestine and the U.N. in Retrospect: The Nineties*, n.d.

<http://www.un.int/wcm/content/site/palestine/cache/offonce/pid/12053;jsessionid=D0349EC611ECA965B38634FDA2942E88>;

UN Security Council, Resolution 1515 (S/RES/1515 (2003)), 2003. [http://undocs.org/S/RES/1515\(2003\)](http://undocs.org/S/RES/1515(2003))

¹¹² Palestine, *Palestine and the U.N. in Retrospect: The Nineties*, n.d.

<http://www.un.int/wcm/content/site/palestine/cache/offonce/pid/12053;jsessionid=D0349EC611ECA965B38634FDA2942E88>

¹¹³ UN Security Council, *Resolution 673 of 24 October 1990 (S/RES/673)*, 1990. [http://undocs.org/S/RES/673\(1990\)](http://undocs.org/S/RES/673(1990))

¹¹⁴ State of Palestine Permanent Observer Mission to the United Nations, *Palestine and the U.N. in Retrospect: The Nineties*,

¹¹⁵ UN Department of Political Affairs, *Repertoire of the Practice of the Security Council, 2004-2007: The situation in the Middle East, including the Palestinian question*, 2010. <http://goo.gl/WkuQQ8>

¹¹⁶ UN Department of Political Affairs, *Repertoire of the Practice of the Security Council, 2008-2009: The situation in the Middle East, including the Palestinian question*, 2012. <http://goo.gl/OdLvFa>

¹¹⁷ *Ibid.*

¹¹⁸ UN Security Council, *Resolution 1515 (S/RES/1515 (2003))*, 2003. <http://goo.gl/ubef7N>

Following the Gaza flotilla incident on 31 May 2010, many Member States renewed their calls for an end to Israeli settlement activity in the oPt, however the resolution was vetoed when put forth for a vote.¹¹⁹

On 28 July 2014, the Security Council met to discuss the situation in the Gaza Strip.¹²⁰ As a response to the situation, the President of the Security Council delivered what is referred to as a “presidential statement,” reflecting the concern regarding the loss of civilian lives and the crises related to the conflict in the Gaza Strip.¹²¹ The statement also expressed the necessity of fully implementing Resolution 1860 (2009), emphasizing the urgent need of assistance to the Palestinian population in the Gaza Strip.¹²² Further, the Council called for a durable ceasefire and welcomed the efforts of the international community to bring peace to the situation.¹²³

General Assembly

Two important General Assembly resolutions were adopted on 22 November 1974 regarding the situation of Palestine: Resolutions 3236 (A/RES/3236 (XXX)) and 3237 (A/RES/3237 (XXIX)).¹²⁴ Resolution 3236 reaffirmed the inalienable rights of the Palestinian people to self-determination, national independence, sovereignty, and to return to their territory.¹²⁵ Resolution 3237 granted the PLO observer status in the United Nations as a representative of the Palestinian people.¹²⁶ On 10 November 1975, through Resolution 3376 (A/RES/3376 (XXX)), the General Assembly established the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) and requested the program of implementation that would enable Palestinian people to exercise their inalienable rights to self-determination without external interference, national independence and sovereignty; and to return to their homes and property from which they had been displaced.¹²⁷ The Committee’s recommendations were endorsed by the General Assembly, to which the committee reports annually.¹²⁸ Seven years later, in Resolution 52/250 (A/RES/52/250) of July 1998, the General Assembly decided to confer upon Palestine, in its capacity as Observer State, additional rights and privileges of participation in the sessions and work of the Assembly, as well as in United Nations and international conferences.¹²⁹

The decision to grant Palestine Observer Status was the first step towards a long and lasting solution to the Israeli-Palestinian conflict which brings long-lasting peace to the Middle East.¹³⁰ Following the adoption of Resolution 52/250, Secretary-General Ban Ki-moon expressed his belief that Palestinians have a legitimate right to an independent State and that Israel had the right to peace and security.¹³¹ Granting Palestine Observer Status would enable Israel and Palestine to live side by side in peace and security, while granting Palestine the opportunity to witness decision-making regarding the conflict.¹³² On 29 November 2012, the General Assembly recognized Palestine as a “non-member State,” giving Palestine the same rights as other states not members of the UN (currently only the Holy See) and opening the door to Palestine joining UN-affiliated entities and international treaties such as the Rome Statute as full members.¹³³

¹¹⁹ UN Department of Political Affairs, *Repertoire of the Practice of the Security Council, 2010-2011: The situation in the Middle East, including the Palestinian question*, 2014. <http://goo.gl/WhmGJz>

¹²⁰ UN Security Council, *Statement by the President of the Security Council*, 2014. <http://www.un.org/en/sc/documents/statements/2014.shtml>

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ UN General Assembly, *Question of Palestine (A/RES/3236 (XXX))*, 1974. [http://undocs.org/A/RES/3236\(XXX\)](http://undocs.org/A/RES/3236(XXX))

UN General Assembly, *Observer Status for the Palestinian Liberation Organization (A/RES/3237 (XXIX))*, 1974. [http://undocs.org/A/RES/3237\(XXIX\)](http://undocs.org/A/RES/3237(XXIX))

¹²⁵ UN General Assembly, *Question of Palestine (A/RES/3236 (XXX))*, 1974. [http://undocs.org/A/RES/3236\(XXX\)](http://undocs.org/A/RES/3236(XXX))

¹²⁶ UN General Assembly, *Observer Status for the Palestinian Liberation Organization (A/RES/3237 (XXIX))*, 1974. [http://undocs.org/A/RES/3237\(XXIX\)](http://undocs.org/A/RES/3237(XXIX))

¹²⁷ UN General Assembly, *Question of Palestine (A/RES/3376 (XXX))*, 1975. [http://undocs.org/A/RES/3376\(XXX\)](http://undocs.org/A/RES/3376(XXX))

¹²⁸ UNISPAL, *The History of the Question of Palestine*, 2014. <http://unispal.un.org/unispal.nsf/his.htm?OpenForm>

¹²⁹ United Nations, *The Question of Palestine and the United Nations*, 2008, pp. 23-27. <http://unispal.un.org/pdfs/DPI2499.pdf>

¹³⁰ UN Meetings Coverage and Press Releases, *Palestinian Rights Committee, 10 Years after International Court of Justice Advisory Opinion, Urges Removal of Barrier Wall*, 2014. <http://www.un.org/press/en/2014/gapal1308.doc.htm-0>

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ United Nations, *General Assembly Votes Overwhelmingly to Accord Palestine ‘Non-Member Observer State’ Status in United Nations*, 2012. <http://www.un.org/press/en/2012/gal1317.doc.htm>

Key Issues

Settlements

After the Six-Day War, Israel began building Israeli civilian settlements on Palestinian territory; to date, over 200 settlements have been constructed throughout the occupied territories, settling over 450,000 Israeli civilians and displacing hundreds of thousands of Palestinian civilians from their own legally owned lands.¹³⁴ The current expansion of Israel into Palestinian territory violates Article 49 of the Fourth Geneva Convention, which states that “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”¹³⁵ In addition, taking land by force is a violation of Article 2(4) of the UN Charter, which states that “all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”¹³⁶

Human Rights

Although Palestine has been granted Observer Status in the GA, the occupied Palestinian territory continues to face the challenges brought by the Separation Barrier.¹³⁷ The wall threatens the lives and human rights of Palestinians every day with the forced removal of land and territory, and the forced leave and transportation.¹³⁸ According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the number of Palestinian refugees registered with the Agency is now more than 4.3 million.¹³⁹ These refugees live in 58 recognized Palestinian refugee camps in Jordan, Lebanon, the Syrian Arab Republic, the Gaza Strip and the West Bank, including East Jerusalem.¹⁴⁰

Political Situation

Given the breakdown of US-brokered negotiations in late April 2014, the overarching issue for the Security Council is to determine how to move forward on achieving a two-state solution.¹⁴¹ The Security Council has an important role to play in “solidifying the cessation of hostilities through negotiations on outstanding issues and achieving a clearly defined agreement, while ensuring that such an agreement prohibits a return to the status quo by providing for the lifting of the blockade and establishing security arrangements to prevent a resumption of hostilities.”¹⁴²

Conclusion and Further Research

The situation in Israel and Palestine is ongoing with desperate need for a peaceful solution. As addressed by the Security Council Presidential Statement on 12 February 2014, those responsible for the violations and abuses of international humanitarian law and human rights must be brought to justice.¹⁴³ States need to be held accountable for the numerous human right violation and the violations of various international agreements, including the Universal Declaration of Human Rights and the UN Charter. It is also imperative that the States involved in the conflict and the rest of the international community at large recognize that all people in the Middle East have inalienable human rights.

Finally, the situation in Israel and Palestine is increasing the number of refugees in the Middle East. How is international humanitarian law applied to these refugees? Furthermore, as the situation relates to the UN and the SC, how can the international community ensure the UN Charter and international laws are respected and followed?

¹³⁴ *Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, 12 August 1949.

<http://unispal.un.org/UNISPAL.NSF/0/6F71BD16D6273ABC052565C9005730E6>

¹³⁵ *Ibid.*

¹³⁶ *Charter of the United Nations*, 26 June 1945, Art.2 (4). <http://www.un.org/en/documents/charter/chapter1.shtml>

¹³⁷ UN Relief and Works Agency for Palestine Refugees in the Near East, *The United Nations and Palestinian Refugees*, 2007.

<http://www.unrwa.org/userfiles/2010011791015.pdf>

¹³⁸ *Ibid.*

¹³⁹ *Ibid.*

¹⁴⁰ UN Relief and Works Agency for Palestine Refugees in the Near East, *Palestine Refugees*, n.d.

<http://www.unrwa.org/palestine-refugees>

¹⁴¹ Security Council Report, *Israel / Palestine: October 2014 Monthly Forecast*, 2014.

http://www.securitycouncilreport.org/monthly-forecast/2014-10/israelpalestine_7.php

¹⁴² Security Council Report, *Israel / Palestine: October 2014 Monthly Forecast*, 2014.

http://www.securitycouncilreport.org/monthly-forecast/2014-10/israelpalestine_7.php

¹⁴³ Security Council, *Statement by the President of the Security Council (S/PRST/2014/3)*, 2014. <http://S/PRST/2014/3>

What are the practical implications of the 2012 recognition of Palestine as a “non-member State” and of the potential future recognition of Palestine as a Member State of the United Nations? What should be done to assure that the necessary funding and protection is granted to States who host Palestinian refugees? What other UN Bodies can the Security Council work with to assure the basic human rights of those affected by the conflict are met?

More broadly, should the Security Council be directly involved in the political settlement of Israel and Palestine, or should it continue to work primarily through intermediaries or coalitions such as the Quartet? In what ways can the Security Council promote the application of international law in the region? How can the Council promote long-term settlement of ongoing issues rather than merely the cessation of periods of violence?

II. Drug Trafficking in West Africa and the Sahel

Introduction

Drug trafficking is a global phenomenon that involves the cultivation, distribution, and sale of substances that are prohibited under international law.¹⁴⁴ Starting from 2004, two distinct hubs emerged in West Africa for the shipment of drugs from Latin America to Europe and Asia, one centered around Guinea and Guinea-Bissau and one centered on Benin.¹⁴⁵ The primary drugs trafficked through West Africa and the Sahel are narcotics, which encompass cocaine, opium, and cannabis.¹⁴⁶ An estimated 16 million people use narcotics as a recreational drug globally each year, and its global market value is estimated to be worth US \$70 billion as of 2009.¹⁴⁷ Despite the well-entrenched use of narcotics in the western hemisphere, the use of West Africa and the Sahel as a transit point is a relatively new development, having been observed only within the past decade owing to the declining North American market and growing European market.¹⁴⁸ Cocaine is produced in South America, primarily from Colombia and Venezuela, and travel by sea and air to reach West Africa.¹⁴⁹ From West Africa, these drugs then travel by land and air to reach users in Western Europe.¹⁵⁰

In addition to narcotics, the region is also susceptible to the trafficking of psychotropic substances, namely amphetamines.¹⁵¹ Production of amphetamines has increased notably in West Africa; the UN Office for Drugs and Crime (UNODC) has observed that production increased from 45 kg in 2011 to 598 kg in 2012.¹⁵² The UN fact-finding missions in the region discovered three laboratories in Nigeria and suspected numerous more in Côte d'Ivoire and Ghana.¹⁵³ While produced psychotropic substances are mostly destined for European consumption, a new trafficking route to East Asia has been observed, specifically through the Sahel.¹⁵⁴ Furthermore, West Africa and the Sahel has emerged as a consumer market for narcotics and psychotropic substance, as drug traffickers are often paid in kind with the drugs they traffic, and these drugs are subsequently trafficked by West Africans for their own profit.¹⁵⁵

This aim of this background guide is to discuss the pertinent documents and agencies that govern international drug control. With respect to geography, this background guide will utilize the definitions established by the United Nations (UN) Statistics Division. West Africa is defined to be the Member States of Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo.¹⁵⁶ The Sahel is a region that is considered to be the north of sub-Saharan Africa and passes through the Member States of Burkina Faso, Chad, Gambia, Mali, Mauritania, Niger, and Senegal.¹⁵⁷

¹⁴⁴ UN Office on Drugs and Crime, *Drug trafficking*, n.d. <https://www.unodc.org/unodc/en/drug-trafficking/index.html>

¹⁴⁵ UN Office on Drugs and Crime, *West and Central Africa*, n.d. <http://www.unodc.org/unodc/en/drug-trafficking/west-and-central-africa.html>

¹⁴⁶ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013.

¹⁴⁷ UN Office on Drugs and Crime, *Transnational Trafficking and the Rule of Law in West Africa: a Threat Assessment*, July 2009. http://www.unodc.org/documents/data-and-analysis/Studies/West_Africa_Report_2009.pdf

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>

¹⁵² UN Office on Drugs and Crime, *World Drug Report 2014*, June 2014. https://www.unodc.org/documents/wdr2014/World_Drug_Report_2014_web.pdf

¹⁵³ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>

¹⁵⁴ *Ibid.*

¹⁵⁵ UN Office on Drugs and Crime, *West and Central Africa*, n.d. <http://www.unodc.org/unodc/en/drug-trafficking/west-and-central-africa.html>

¹⁵⁶ UN Statistics Division, *Standard Country and Area Codes Classifications (M49)*, 31 October 2013. <http://unstats.un.org/unsd/methods/m49/m49regin.htm#africa>

¹⁵⁷ UN Office for the Coordination of Humanitarian Affairs, *Sahel*, September 2013. https://docs.unocha.org/sites/dms/Documents/2013_SAHEL.pdf

International Framework

The Security Council is charged with the responsibility to maintain international peace and security, in accordance with Chapter V of the Charter of the UN.¹⁵⁸ The UN at large has a further responsibility of creating a stable international environment in which states may foster peaceful and friendly relations; this responsibility is largely enumerated in Chapter IX of the Charter.¹⁵⁹

The Single Convention on Narcotic Drugs, originally adopted in 1961 and subsequently amended in 1972, marked the first concerted international effort to address the usage of narcotic drugs (e.g. cannabis, coca, and opium) and the trafficking thereof.¹⁶⁰ In adopting the Single Convention, State Parties affirm to limit the usage, manufacture, and distribution of narcotic drugs to scientific purposes only; furthermore, State Parties agree to cooperate with each other to combat drug trafficking.¹⁶¹

The Single Convention sets out the internationally agreed-upon terminology for narcotic drugs. Under the Single Convention, a narcotic drug is any natural or synthetic substance found in Schedules I and II annexed to the treaty, and illicit trafficking is defined as the “cultivation or trafficking in drugs contrary to the provisions of this Convention.”¹⁶² The Single Convention confers the policymaking aspect of drug control to the Commission on Narcotic Drugs and the enforcement aspect to the International Narcotics Control Board.¹⁶³ State Parties are required, under Article 18, to submit to the Secretary-General information on the progress of implementing the Single Convention, the situation on illicit drug trafficking within their respective borders, and any legislation enacted to uphold the duties of the Single Convention.¹⁶⁴ Article 35 further compels State Parties to cooperate with each other and with international agencies to prevent and repress illicit trafficking.¹⁶⁵

The Convention of Psychotropic Substances was adopted in 1971 to address the proliferation of drugs such as amphetamines, barbiturates, and psychedelics, as these drugs fall outside the jurisdiction of the Single Convention on Narcotic Drugs; the Schedules of this convention classifies what constitutes a psychotropic substance.¹⁶⁶ Similarly, to the Single Convention on Narcotic Drugs, the Convention on Psychotropic Substances sets out to limit the usage, manufacture, and distribution of psychotropic substances for scientific purposes.¹⁶⁷

The definition a psychotropic substance, unlike that of a narcotic drug, is less definitive, and Article 2 of the Convention calls on the World Health Organization (WHO) to determine if a substance shall be included based on its tendency to induce dependency and abuse.¹⁶⁸ The governance of the Convention on Psychotropic Substances remains largely similar to that of the Single Convention on Narcotic Drugs. Article 16 requires State Parties to provide information on the progress of implementing the Convention, legislative action, and statistics on the illicit traffic of psychotropic substances.¹⁶⁹ Article 21 reiterates the commitment of State Parties to cooperate and coordinate with each other and with international agencies to prevent and repress illicit trafficking.¹⁷⁰

The Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances was adopted in 1988 in order to provide State Parties of the two previous conventions additional powers and mechanisms to combat drug

¹⁵⁸ United Nations, *Chapter V: the Security Council*, n.d. <http://www.un.org/en/documents/charter/chapter5.shtml>

¹⁵⁹ United Nations, *Chapter IX: International Economic and Social Co-operation*, n.d. <http://www.un.org/en/documents/charter/chapter9.shtml>

¹⁶⁰ United Nations, *Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961*, 25 March 1961. https://www.unodc.org/pdf/convention_1961_en.pdf

¹⁶¹ UN Office on Drugs and Crime, *Single Convention on Narcotic Drugs, 1961*, n.d. <https://www.unodc.org/unodc/en/treaties/single-convention.html>

¹⁶² United Nations, *Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961*, 25 March 1961. https://www.unodc.org/pdf/convention_1961_en.pdf

¹⁶³ *Ibid.*

¹⁶⁴ *Ibid.*

¹⁶⁵ *Ibid.*

¹⁶⁶ United Nations, *Convention on Psychotropic Substances, 1971*, 21 February 1971. https://www.unodc.org/pdf/convention_1971_en.pdf

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

trafficking.¹⁷¹ Under Article 3, State Parties are compelled to adopt domestic law that categorizes the proliferation of these controlled substances as criminal offenses and to provide the justice sector with the mechanisms to investigate drug trafficking offenses in the context of international organized crime or political corruption.¹⁷² Articles 5 and 6 further address the need of national enforcement; State Parties are to establish measures to enable the confiscation of controlled substances in instances of illicit trafficking and to enable to extradition of individuals involved.¹⁷³ The Convention further enumerates additional methods of international cooperation between State Parties in the combat against drug trafficking.¹⁷⁴ Article 7, “Mutual Legal Assistance,” asks State Parties to provide each other the fullest support possible in investigations, prosecutions, and judicial proceeding.¹⁷⁵ Most importantly, Article 10 highlights the need to assist and support transit states, especially developing states, through technical cooperation, financial assistance, and other means necessary either directly or via international organizations.¹⁷⁶

The Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized crimes in West Africa (“Abuja Declaration”) was adopted in 2008 by Member States of the Economic Community of West African States (ECOWAS).¹⁷⁷ In the declaration, the Heads of State and Government recognized the negative impact of drug trafficking on regional and international peace and security and the socioeconomic development of the region.¹⁷⁸ The Heads of State and Government further committed to ratify the aforementioned conventions if not done so at the time, to strengthen existing domestic laws to deter drug trafficking, to develop a regional legal framework for the harmonization of legal instruments, and to improve access to healthcare for those dependent on these controlled substances.¹⁷⁹ As this is a political declaration and not a convention, the Member States of ECOWAS have committed themselves to strengthen existing measures and to cooperate with each other and established no metrics to measure any outcomes.¹⁸⁰

The African Union (AU) Plan of Action on Drug Control 2013-2017 was developed by the regional organization in recognition of the emerging challenges associated with drug trafficking.¹⁸¹ Its fundamental goal is “to improve the health, security and socioeconomic well-being of people in Africa by reducing drug use, illicit trafficking and associated crimes.”¹⁸² The 2013-2017 AU Plan of Action follows the previous Plan of Action on Drug Control and Crime Prevention (2007-2012), which the AU cited as having been difficult to implement due to challenges with financial support, translating policies into concrete action, and a lack of consensus between stakeholders on the most cost-effective and strategic approaches.¹⁸³

The AU Plan of Action identified four key priority areas for the region.¹⁸⁴ Of note are the third and fourth priority areas, both of which explicitly address the illicit trafficking of drugs.¹⁸⁵ The third priority area, “countering drug trafficking and related challenges to human security through supporting Member States and [Regional Economic Committees (RECs)] to reduce trends of illicit trafficking and supply reduction in accordance with fundamental human rights principles and the rule of law,” is realized through the strengthening of legal and policy frameworks related to drug trafficking and crime prevention, improvements on how strategic information on production and trafficking is gathered, and evidence-based public awareness campaigns.¹⁸⁶ The fourth priority area, “capacity

¹⁷¹ United Nations, *United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, 20 December 1988. https://www.unodc.org/pdf/convention_1988_en.pdf

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*

¹⁷⁶ *Ibid.*

¹⁷⁷ Council on Foreign Relations, *ECOWAS Abuja Declaration*, December 2008. <http://www.cfr.org/transnational-crime/ecowas-abuja-declaration/p28247>

¹⁷⁸ UN Office on Drugs and Crime, *Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crimes in West Africa*, n.d. <https://www.unodc.org/westandcentralafrica/en/ecowaspoliticaldeclaration.html>

¹⁷⁹ *Ibid.*

¹⁸⁰ *Ibid.*

¹⁸¹ African Union, *AU Plan of Action on Drug Control (2013-2017) (CAMDC/EXP/2(V))*, n.d. [http://sa.au.int/en/sites/default/files/AUPA%20on%20DC%20\(2013-2017\)%20-%20English.pdf](http://sa.au.int/en/sites/default/files/AUPA%20on%20DC%20(2013-2017)%20-%20English.pdf)

¹⁸² *Ibid.*

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid.*

building in research and data collection enhanced through strengthening of institutions to respond effectively to challenges posed by illicit drugs, and to facilitate the licit movement of narcotic drugs and psychotropic substances for medical and scientific purposes,” seeks to improve the criminal justice sector of Member States in order to conduct drug-related legal proceedings more effectively, to remove restrictions of availability of internationally controlled drugs for scientific purposes, and to develop a continental common position in prevention, treatment, research, and surveillance.¹⁸⁷

United Nations System Involvement

The UN is deeply involved in addressing the issue of drug trafficking, as this issue presents a disturbance to international peace and security by further undermining the organization’s efforts in addressing terrorism, organized crime, and weapon proliferation.

The Security Council devoted a debate entirely to illicit drug trafficking in West Africa for the first time during its 6233rd meeting on 8 December 2009.¹⁸⁸ During this meeting, Secretary-General Ban Ki-moon spoke to the Council and reaffirmed how illicit drug trafficking undermined state authority and rule of law along the drug trafficking routes.¹⁸⁹ Furthermore, socioeconomic development stalled as illicit drug trafficking spread corruption and the illegitimate economy.¹⁹⁰ The representative from the UNODC, Antonio Maria Costa, explained that West Africa would be an area of concern because the region was shifting from cocaine trafficking to the manufacture of amphetamines.¹⁹¹ The presence of both narcotics and amphetamines is a concern because these illicit substances have become a form of currency for organized crime in the region, thereby providing resources for organized crime for other illegal endeavors.¹⁹² With respect to trafficking in the Sahel region, Antonio Maria Costa identified this region as a new but inevitable development.¹⁹³ Drugs destined to West Africa and East Africa were transiting in the Sahel region, with routes across Chad, Mali, and Niger.¹⁹⁴ As a result of this meeting, the Security Council issued a presidential statement reaffirming its commitment towards combating the trafficking of illicit drugs, encouraging states that have not done so to adopt the necessary international conventions, and inviting the Secretary-General to mainstream the issue of drug trafficking in all facets of peacekeeping and peacebuilding.¹⁹⁵

The Secretary-General announced his growing concern with drug trafficking in West Africa and the Sahel during the Security Council’s 6717th meeting on 21 February 2012.¹⁹⁶ In his verbal remarks, the Secretary-General acknowledged once more the role that West Africa plays in the global drug trade as a transit point between South America and Europe.¹⁹⁷ The Secretary-General affirmed that “the creation of alternative sustainable livelihoods and addressing the challenges of poverty, human insecurity and underdevelopment” was essential in the combat against drug trafficking.¹⁹⁸ Yuri Fedotov, Executive Director of UNODC, furthered the debate by informing the Council that the consumption market in West Africa was rapidly growing, which reinforced the Secretary-General’s remark for the need of socioeconomic assistance under the umbrella of combating drug trafficking.¹⁹⁹ The Libyan crisis has complicated the situation in the Sahel region, as terrorist groups such as Al-Qaida have aligned with local drug traffickers; to this end, UNODC had been working at the regional level on judicial cooperation and at the national level with related state programs.²⁰⁰ The Security Council also conveyed growing concern that drug trafficking had become even more connected to violence in the region and called on local Member States to adopt the appropriate

¹⁸⁷ African Union, *AU Plan of Action on Drug Control (2013-2017) (CAMDC/EXP/2(V))*, n.d. [http://sa.au.int/en/sites/default/files/AUPA%20on%20DC%20\(2013-2017\)%20-%20English.pdf](http://sa.au.int/en/sites/default/files/AUPA%20on%20DC%20(2013-2017)%20-%20English.pdf)

¹⁸⁸ UN Security Council, *6233rd meeting (S/PV.6233)*, 8 December 2009. <http://undocs.org/S/PV.6233>.

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² *Ibid.*

¹⁹³ *Ibid.*

¹⁹⁴ UN Security Council, *6233rd meeting (S/PV.6233)*, 8 December 2009. <http://undocs.org/S/PV.6233>.

¹⁹⁵ UN Security Council, *Statement by the President of the Security Council (S/PRST/2009/32)*, 8 December 2009. <http://undocs.org/S/PRST/2009/32>.

¹⁹⁶ UN Security Council, *6717th meeting (S/PV.6717)*, 21 February 2012. <http://undocs.org/S/PV.6717>.

¹⁹⁷ *Ibid.*

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid.*

²⁰⁰ *Ibid.*

conventions and to continue their support in regional initiatives.²⁰¹ The Security Council also requested a report from the Secretary-General with recommendations on how to address the drug trafficking problem in West Africa and the Sahel, the content of which will be discussed later.²⁰²

This topic was most recently discussed by the Security Council at its 7090th meeting on 18 December 2013.²⁰³ The Council recognized that the drug trafficking networks in West Africa and the Sahel have grown tremendously in terms of reach and sophistication; with advances and ease of access to technology, traffickers are able to move drugs more quickly to more people in a more covert manner.²⁰⁴ The status of West Africa as a consumption region instead of only a transit region also alarmed the Council, as increased consumption puts further strain on an already-challenged public health environment.²⁰⁵ The Secretary-General reemphasized the need to provide support to victims of drug trafficking via engagement with civil society and community groups.²⁰⁶ The Executive Director of UNODC elaborated on the growth of the drug trafficking networks by stating that the profits pocketed by traffickers surpassed the national security budgets of several states in the region.²⁰⁷ In closing, the Executive Director reemphasized that the combat against drug trafficking would not be a single-issue cause, as rule of law and socioeconomic development are intrinsically tied to the presence of drugs and drugs trafficking.²⁰⁸ In this meeting's presidential statement, the Security Council called on Member States to enforce their right to sovereignty by strengthening border security and continuing to participate in international and regional initiatives; in addition, the Council called on other agencies of the UN to incorporate mechanisms to counter drug trafficking in their programs of work.²⁰⁹

In the Report of the Secretary-General on illicit cross-border trafficking and movement (S/2012/777), the Secretary-General remarked that globalization, manifested by the increasing openness in trade and migration, has given organized crime unprecedented opportunities, especially in situations where the national government could not keep up with the increasing openness.²¹⁰ The Secretary-General cited in this report that developing capacity, and a supply of economically viable and legal alternatives to growing narcotic plants plays an important role in the broader scheme to eradicate poverty and to continue rural development.²¹¹ The United Nations Regional Offices in West and Central Africa also can utilize their unique positions to engage in dialogue and information sharing to strengthen each Member State's capacity to address arms and drug trafficking.²¹² In addressing the drug trafficking problem, the Secretary-General nonetheless maintained the need to respect human rights; while the act of trafficking itself violates human rights, how authorities address the act may also lead to violations.²¹³ The report concludes by highlighting the efforts of the Secretariat in the combat against drug trafficking, such as the creation of the United Nations System Task Force on Transnational Organized Crime and Drug Trafficking "to promote a comprehensive and balanced framework centered on prevention, the rule of law, regional and interregional cooperation, shared responsibility, local and national capacity and institution development, public health and the protection of human rights."²¹⁴

The Secretary-General submitted a report subsequent to the Security Council's 6717th meeting.²¹⁵ This Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region

²⁰¹ UN Security Council, *Statement by the President of the Security Council (S/PRST/2012/2)*, 2012.

<http://undocs.org/S/PRST/2012/2>.

²⁰² *Ibid.*

²⁰³ UN Security Council, *7090th meeting (S/PV.7090)*, 18 December 2013. <http://undocs.org/S/PV.7090>.

²⁰⁴ *Ibid.*

²⁰⁵ *Ibid.*

²⁰⁶ *Ibid.*

²⁰⁷ *Ibid.*

²⁰⁸ *Ibid.*

²⁰⁹ UN Security Council, *Statement by the President of the Security Council (S/PRST/2013/22)*, 13 December 2013.

<http://undocs.org/S/PRST/2013/22>.

²¹⁰ UN Security Council, *Report of the Secretary-General on illicit cross-border trafficking and movement (S/2012/777)*, 19 October 2012. <http://undocs.org/S/2012/777>.

²¹¹ *Ibid.*

²¹² *Ibid.*

²¹³ *Ibid.*

²¹⁴ *Ibid.*

²¹⁵ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>.

(S/2013/359), as previously mentioned, provides recommendations on how the Security Council may address the drug trafficking problem in West Africa and the Sahel.²¹⁶ While West Africa was traditionally a transit point for narcotics from South America to Europe local consumption has further increased as local traffickers are paid in kind through cocaine; these local traffickers, who lack the means to traffic the cocaine to Europe themselves, resort to selling it locally.²¹⁷ The trafficking of psychotropic substances has also grown; in addition to trafficking these drugs to East Asia in increasing amounts, local production has also taken afoot, with labs found in Nigeria and suspected to exist in Côte d'Ivoire and Ghana.²¹⁸ As a result of increased local consumption, the prevalence of HIV has also increased in Ghana, Nigeria, and Senegal, based on the data available.²¹⁹ As part of the mainstreaming of the illicit drug trade, the Secretary-General remarked that for the four West African countries on the Peacebuilding Commission agenda, combating illicit drug trafficking is a peacebuilding priority and the Commission has been advocating for further international cooperation and technical expertise.²²⁰ The Secretary-General provided numerous recommendations for the UN and for the Member States in West Africa and the Sahel. With respect to the Member States in the region, the Secretary-General recommended the implementation of the AU Plan of Action, the enhancement of national inter-agency coordination, and the advancement of good governance and criminal justice.²²¹ The recommendations for the UN at large include the further strengthening of coordination between the Special Representatives in West Africa and the Special Envoy for the Sahel and the enhancement of cooperation between the Peacebuilding Commission and UN peacekeeping operations.²²²

Thematic Considerations

Governance and Rule of Law

The situation on governance and rule of law in West Africa and the Sahel has been mixed; while the region is home to numerous emerging democracies, such as Sierra Leone, Liberia, and Ghana, the region has also witnessed ten coups d'états or attempts to such, three civil wars, and numerous other political crises due to the lack of due process and legal rights.²²³ What is already an unstable region is further threatened by the presence of drug traffickers, as these individuals further undermine peacebuilding efforts by the UN and by national governments.²²⁴

The ability of drug traffickers to network and extend the influence in the public and private sectors is well documented in seizure documents.²²⁵ Furthermore, politicians themselves may seek to benefit from drug money.²²⁶ Democracy in West Africa and the Sahel has not matured to a point where elections are 100 percent transparent and parties are self-sufficient; in fact, parties are primarily owned by the candidates and funding for these parties usually come from candidates' networks.²²⁷ As such, the electoral process in West Africa and the Sahel are prone to corruption by drug money as politicians may fund their campaigns through the illicit drug trade.²²⁸

West African countries have for the most part incorporated international drug control law into their respective criminal codes.²²⁹ However, this entails that every drug-related activity, from trafficking to personal consumption, is punishable by law.²³⁰ The criminal justice systems in the region have been weak due to a lack of skills, resources,

²¹⁶ UN Security Council, *Statement by the President of the Security Council (S/PRST/2012/2)*, 2012.

<http://undocs.org/S/PRST/2012/2>.

²¹⁷ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>.

²¹⁸ *Ibid.*

²¹⁹ *Ibid.*

²²⁰ *Ibid.*

²²¹ *Ibid.*

²²² *Ibid.*

²²³ UN Office on Drugs and Crime, *Regional Programme for West Africa, 2010-2014*, n.d.

https://www.unodc.org/documents/westandcentralafrika/FINAL_CONSOLIDATED_nov22.pdf

²²⁴ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>.

²²⁵ West Africa Commission on Drugs, *Not Just in Transit: Drugs, the State and Society in West Africa*, June 2014.

http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf

²²⁶ *Ibid.*

²²⁷ *Ibid.*

²²⁸ *Ibid.*

²²⁹ *Ibid.*

²³⁰ *Ibid.*

and coordination.²³¹ Furthermore, the inability to successfully investigate and prosecute drug trafficking cases can be further impeded by corruption as drug traffickers gain access to the security and justice sectors.²³²

Health and Social Impact

The UNODC estimates in its *2014 World Drug Report* that only one in 18 problem drug users in Africa receive treatment while one in five receives treatment in Europe and one in three in North America.²³³ As of 2012, the drug mortality rate in Africa is estimated to be at 36,800 per million persons between 15 and 64 years old.²³⁴ Another important statistic related to drug abuse is the number of persons who inject drugs and are living with HIV; for Africa, this is estimated to be at 123,000 persons.²³⁵ Data specific to West Africa and the Sahel is limited, but the Report of the Secretary-General (S/2013/359) estimates that 4% of new HIV infections in Ghana and 5.6% of new HIV infections in Nigeria are attributed to injecting drug use.²³⁶ Specifically related to West Africa and the Sahel, the UNODC has noted an upward trend in drug abuse in this region due to an increase in trafficking and the increase in availability of illicit drugs for consumption.²³⁷ While data is limited, it is suggested that the use of cannabis in West and Central Africa (including the Sahel) is at 12.4% of the regional population, which is significantly higher than the global average of 3.8%.²³⁸

As mentioned previously, the criminalization of drug trafficking entails punishment for personal drug use.²³⁹ This further impedes drug treatment as individuals who seek treatment may face legal reprimands, namely the fear of being arrested and imprisoned.²⁴⁰ Once imprisoned, the access to treatment is even lower.²⁴¹ Drug treatment is routinely provided by psychiatric hospitals, which are ill equipped to address substance abuse issues, or do so by less scientific means like traditional or faith-based healers.²⁴² Furthermore, political action made by the State Parties on prevention and treatment has not been met with the appropriate investment, as State Parties have focused more on security and interdiction.²⁴³ External partners to West African states have provided resources to strengthen treatment and harm reduction; the United States and France are working jointly with UNODC and WHO to increase the reach and quality of treatment services.²⁴⁴ Nonetheless, Member States in West Africa and the Sahel themselves must work towards providing additional resources in public health as it relates to the drug problem.²⁴⁵

Conclusion

The Security Council's recognition of drug trafficking as a security issue is warranted because this issue affects quite fundamentally the ability of governments to function without influence or intrusion. Furthermore, drug trafficking is equally affecting human security as the presence of drugs and money prohibit the improvement of individuals' socioeconomic well-being. However, despite much discussion and many recommendations, the Security Council has not concretely acted on this issue by adopting a resolution; the Council has instead simply reaffirmed through presidential statements its political commitment to end drug trafficking. As such, the Security Council stands to act more firmly in addressing this issue, which may establish the impetus for Member States in the region to take further action within their respective territories.

²³¹ West Africa Commission on Drugs, *Not Just in Transit: Drugs, the State and Society in West Africa*, June 2014. http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf

²³² *Ibid.*

²³³ UN Office on Drugs and Crime, *World Drug Report 2014*, June 2014. https://www.unodc.org/documents/wdr2014/World_Drug_Report_2014_web.pdf

²³⁴ *Ibid.*

²³⁵ *Ibid.*

²³⁶ UN Security Council, *Report of the Secretary-General on transnational organized crime and illicit drug trafficking in West Africa and the Sahel region (S/2013/259)*, 17 June 2013. <http://undocs.org/S/2013/359>

²³⁷ UN Office on Drugs and Crime, *Regional Programme for West Africa, 2010-2014*, n.d. https://www.unodc.org/documents/westandcentralafrica/FINAL_CONSOLIDATED_nov22.pdf

²³⁸ *Ibid.*

²³⁹ West Africa Commission on Drugs, *Not Just in Transit: Drugs, the State and Society in West Africa*, June 2014. http://www.wacommissionondrugs.org/wp-content/uploads/2013/04/WACD_report_June_2014_english.pdf

²⁴⁰ *Ibid.*

²⁴¹ *Ibid.*

²⁴² *Ibid.*

²⁴³ *Ibid.*

²⁴⁴ *Ibid.*

²⁴⁵ *Ibid.*

In addressing this topic in committee, please be mindful of the mandate of the Security Council within the UN and vis-à-vis the international community. As the Security Council is the only body within the UN whose resolutions are legally-binding, how can the committee act without infringing on the sovereignty of Member States? How can the Security Council incentivize Member States to take further action domestically? Furthermore, what is the Security Council's place in dealing with the socioeconomic malaise due to drug trafficking? With respect to the operational arm of the Security Council namely the peacekeeping missions, what can these missions do to strengthen the capabilities to fight drug trafficking in their respective countries?

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