

جيمس مدرستنا الهندية
GEMS OUR OWN INDIAN SCHOOL



Anchored in Excellence

United Nations Simulation Conference 2020

United Nations Security Council



Background Guide

Letter from Chairs

To the Security Council,

Greetings delegates, we welcome you to the United Nations Security Council and sincerely hope this background guide helps you with your impending mountain of research. Whether or not you actually read this document, we'd like you to know that the Chairs of the Security Council would welcome you in with open arms. Whether you're here to add an extra row to your MUN CV or to debate or to expand your social circle, we hope you have a fun, enriching experience at the SC of the United Nations Simulation Conference. We hope that you take away lots of important MUN skills and enrich yourselves with information regarding the art of the proxy war.

While all committees at this conference prompt delegates to understand their country's policy, the Security Council adds another level of realism and diplomacy that requires delegates to refine their negotiating skills. As many of you know, The Security Council is tasked with promoting and protecting international peace and security. Therefore, the topic chosen best captures the current threats to global security. To ensure that the committee runs as smoothly as possible, we hope that each and every one of you will bring unparalleled knowledge of your country's position and parliamentary procedure, as well as an understanding of the functions of the Security Council.

To all the delegates who have committed themselves to this conference, we sincerely hope that we meet all your expectations and help you thrive at the art of repertoire. Wishing you all the best for the upcoming conference.

Warm Regards,

The Chairs of the United Nations Security Council
Siddharth Nair & Ridhi Sharma

United Nations Security Council

A century prior to the formation of the United Nations, several international instruments attempted to alleviate conflict and resolve issues. Organizations such as the International Committee of the Red Cross and the Hague conventions are a few notable examples. Following the disasters of World War 1 (WW1), the Paris Peace Conference, also known as the Versailles Peace Conference in 1919, established The League of Nations in order to settle various disputes. However, the League of Nations was a highly flawed institution, lacked representation from most of the world and failed to prevent multiple regional conflicts as well as World War 2 (WW2).

Formed in 1945, the United Nations Security Council (UNSC) is one of the six principal organs of the UN. It was formed in the aftermath of the failure of the League of Nations and aimed to prevent another world war and other forms of conflict. In a nutshell, its primary responsibility is to ensure international peace and security. The UNSC, however, was greatly paralyzed in its early stages due to the Cold War between the US and USSR and hence failed to take constructive decisions on conflicts related to the same, but continued to deal with other issues. In 1956, the first UN peacekeeping force was established to end the Suez Crisis.

Structure and Functions

The United Nations is composed of 15 member states, 5 of which are permanent (United States, United Kingdom, Russia, China and France) and the remaining are elected by the General Assembly every 1-2 years. However, as per Article 31 of the UN Charter, any party not a member of the UNSC but that is involved in the dispute being discussed may be invited, without vote, to the meetings (the concept of observer states in a particular meeting).

As per the Charter of the United Nations, the Security Council's primary function is to maintain international peace and security in accordance with the principles and purposes of the United Nations. It also plays an integral role in investigating any dispute or situation which might lead to international friction, threat to peace or an act of aggression and recommend methods of reconciling or consequential actions thereof. Among the options that the UNSC can adopt for consequential actions is the placement of economic sanctions and other peaceful means or military aggression against an actor in certain cases.

Among a few of its specific functions are the formulation of plans to regulate armaments, appointment of the Secretary General and election of judges of the International Court of Justice with the General Assembly. **Article 25 of the UN Charter makes it the only UN organ whose decisions are binding and have to be carried out.**

The UNSC can enforce its decisions in any ways that don't involve the use of force. According to Article 41 of the UN Charter- "*The Security Council may decide what measures **not involving the use of armed force** are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.*"

However, if despite the working of Article 41 the dispute does not resolve, then pursuant to the following article the use of armed force is permitted: "...*demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.*" Such plans however, have to be made with assistance from the Military Staff Committee.

Nature of Resolutions

The UNSC treats resolutions under two main criteria:

1. **Pacific Settlement of Disputes** (Corresponding to [Chapter VI of the UN Charter](#)).

Please make sure that you read all the articles in the chapter to understand in depth what it is about. The underlying factor in all articles of this category are that they involve no use of force, or military solutions.

Additional Provision: In case a resolution is being discussed that entirely conforms to the articles in Chapter VI of the UN Charter. An invocation of Article 27(3) of the UN Charter *may* be entertained. As per paragraph 3 of Article 27 [27(3)], nations which are directly involved in the conflict shall abstain from voting on resolutions.

2. **Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression** ([Corresponding to Chapter VII of the UN Charter](#)).

Please make sure that you read all the articles in the chapter to understand in depth what it is about. The underlying factor in all articles of this category are that they do involve use of measures that might not necessarily be peaceful.

Important Note: The resolutions in this committee must utilize the mandate of only the Security Council and must not go beyond it.

“Humanitarian exemption in sanctioned regimes.”

Sanctions are one of the methods the Security Council uses to maintain international peace and security. They are legal measures provided for in the Charter of the United Nations (1945), and they can target individuals, Member States, or non-state actors that the Security Council deems as threats to the peace. Sanctions were first introduced in 1963 against the Apartheid regime in South Africa. Yet, it was not until the end of the Cold War that the Security Council increased its overall activity and sanctions saw a surge in their use as the primary mechanism for the Security Council to resolve conflicts in a non-violent manner. Since the 1960s, the Security Council has created 27 sanctions regimes, 14 of which are still currently active. There are a variety of sanctions measures the Security Council has at its disposal; the most commonly used types of sanctions measures are diplomatic sanctions, travel and commodity bans, asset freezes, and arms embargoes.

None of these measures are used in isolation, but are always combined with one another within country-specific contexts. For example, the sanctions regime against the Democratic People’s Republic of Korea (DPRK) includes arms embargoes, travel bans, and asset freezes, whereas the sanctions regime against Iraq only consists of an arms embargo and asset freezes. It is important to note that while the Security Council is the body that imposes sanctions through binding resolutions, Member States are required to implement these sanctions in their national legislation.

Many sanctions imposed by the Security Council target countries and regions experiencing crises that require the assistance of humanitarian actors, due to a lack of state capacity to help the population. This poses a challenge for the Security Council, whose actions could have negative consequences for civilians, when humanitarian actors are prevented from effectively providing aid and development assistance to people in need. For instance, the United Nations (UN) World Food Programme (WFP) has highlighted that the economic sanctions imposed by the Security Council, which requires the thorough inspection of any goods entering the country, adds an extra logistical obstacle to WFP’s supply chain, and ultimately harms food security within the DPRK. Likewise, when individuals under sanctions require humanitarian assistance, it is crucial that the Security Council offer them the possibility to be temporarily excluded from sanctioning measures. The Security Council first introduced humanitarian exemptions to a travel ban and commodity interdictions in 1968 within the Southern Rhodesian sanctions regime. Since then, Most sanctions regimes have included some form of exemptions for humanitarian purposes.

Overall, the recent discussion on sanctions predominantly revolves around the reform of sanctions in order to enhance their effectiveness. This is important, as effective sanctions would also greatly increase the legitimacy of the Security Council and the UN as a whole. Going forward, it is therefore crucial that the Security Council considers some of the current recommendations for sanctions reform regarding humanitarian exemptions, in order to ensure the effectiveness of sanctions, and to help mitigate unintended harmful humanitarian consequences.

Background

International and Regional Framework

The basis for the legal framework on humanitarian exemptions in sanction regimes is laid out in the Charter of the United Nations, international human rights instruments, International Humanitarian Law (IHL), and Security Council resolutions. The Security Council derives its powers to establish sanctions from Chapter VII of the Charter. Chapter VII, Article 41, specifically grants the Security Council the authority to “decide what measures not involving the use of armed force are to be employed to give effect to its decisions.” While Article 41 does not explicitly mention the term “sanctions,” the intention behind this article is to allow the Security Council to impose concrete measures against Member States and other actors in order to peacefully settle conflicts.

While the Charter establishes the Security Council’s power to set sanctions, sanctions themselves find their constraints in international human rights instruments and IHL. Article 25 of the Universal Declaration of Human Rights (UDHR) (1948) maintains that every person has a right to adequate living standards, which includes access to medical care as well as security in cases of sickness and disability. Similarly, IHL, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949), asserts that humanitarian assistance to civilians should not be restricted. As a consequence, humanitarian exemptions are needed in order to prevent sanctions from depriving persons of their basic human rights and the right to humanitarian assistance. The importance of humanitarian exemptions to sanctions were further recognized by the UN in the outcome document of the 2005 World Summit, the 2005 World Summit Outcome. While covering a broad range of humanitarian issues, it also discussed the reform of the process for individual exemptions for persons and entities on a sanctions list.

Security Council resolutions play the most central role in establishing humanitarian exemptions in sanctions regimes. Through its resolutions, the Security Council creates sanctions regimes and sanction committees, and also establishes appropriate exemptions therein. Since sanctions regimes are time limited, they are in need of constant renewal through Security Council resolutions, if determined necessary.

Security Council resolutions also require reporting mechanisms within sanctions regimes, which can be exemplified by the annual reports of sanctions committees, such as the 2016 report of the 2140 Sanctions Committee regarding Yemen.

Role of the International System

Aside from the Security Council, the work within the international system regarding sanctions is led by a variety of actors. For each sanctions regime, Article 29 of the Charter enables the Security Council to create subsidiary organs to help administer the sanctions regime. These subsidiary organs are called sanctions committees, and they are usually named after the resolution that established the particular committee. Corresponding to the 14 active sanctions regimes, the Security Council currently maintains 14 different sanctions committees. The actual implementation of sanctions and their measures ultimately falls upon Member States, but the committees are the sole entities responsible for monitoring this implementation and managing exemptions. Additionally, sanctions committees are usually supported by monitoring groups or panels of experts who assist the committees in their monitoring and reporting processes. Within the mandate provided by the Security Council, sanctions committees adopt their own rules and guidelines for administering sanctions regimes. Sanctions committees also regularly present annual reports on their activities, including their decisions on exemption requests, to the Security Council. In order to ensure that humanitarian exemptions to sanctions are implemented correctly, the work of sanctions committees is crucial. For example, the 2127 Sanctions Committee, responsible for the sanctions on the Central African Republic, authorized three exemption requests to the asset freeze applied in the country in 2016.

Key Parties

Today, there are 14 ongoing sanctions regimes which focus on supporting political settlement of conflicts, nuclear non-proliferation, and counter-terrorism. Each regime is administered by a sanctions committee chaired by a non-permanent member of the Security Council. There are 10 monitoring groups, teams and panels that support the work of 11 of the 14 sanctions committees.

Cuba: The Sanctions Program against Cuba reflects the execution of many legal authorities, including executive orders signed by the President and laws passed by Congress. While the Obama administration tried to strengthen relations between Cuba and the United States, the newly appointed President Trump announced on 16 June 2017 that he was suspending the Sanctions Relief Program against Cuba. Business and travel restrictions relaxed by the Obama administration were restored in November. Further restrictions on American travel to Cuba were announced in June 2019.

Iran: Following a finding by the International Atomic Energy Association (IAEA), the UN Nuclear Watchdog, in September 2005 that Tehran did not fulfill its international obligations, the United States, the United Nations and the European Union imposed various sanctions on Iran for its nuclear programme. The United States has spearheaded international attempts to financially isolate Tehran and block its oil exports in order to increase the cost of Iran's efforts to establish potential nuclear weapons capabilities and to block its oil exports in order to raise the cost of Iran's efforts to develop potential nuclear weapons capabilities and bring its government to the negotiating table.

North Korea: For four primary factors, U.S. economic sanctions have been imposed on North Korea:

- (1) North Korea is seen as a threat to U.S. national security;
- (2) North Korea is designated by the Secretary of State as a State sponsor or supporter of international terrorism;
- (3) North Korea is a Marxist-Leninist state with a Communist government; and
- (4) North Korea has been classified by the United States Department of State.

Sudan: After the US government found that Sudan had made progress in five main areas, 20 years of extensive economic sanctions for Sudan were permanently abolished in October 2017. Sudan continues to be classified by the United States as a state sponsor of terrorism, avoiding a broader normalization of relations. Although most Sudanese interviewed for this report

welcomed the lifting of sanctions, the weakening economy, government repression, and the inability to resolve Sudan's multiple conflicts overshadowed the US opening. Moreover, the economic downturn in Sudan has contributed to doubts about the effectiveness of sanctions relief. The mechanism leading to the lifting of sanctions was not seen by most of the interviewees as straightforward and did not involve enough of the Sudanese or provide them with information beyond the bound government elite.

Syria: As one of the former nations of the United Nations. Syria has had tense ties with the U.S. as a supporter of terror, as Ambassador John Bolton calls it "beyond the Axis of Evil." As a result, the U.S. has broad trade restrictions for the world, with the exception of significant exports and financial services to terror-related individuals or organizations.

USA: The U.S. punishes countries that encourage terrorism or abuse the human rights of their people. The United States may impose sanctions on an entire nation or individuals or organizations. Cuba, Iran, North Korea and Syria have the longest-standing sanctions against them.

History

The Security Council first imposed voluntary sanctions on the apartheid regimes of South Africa in 1963 and Southern Rhodesia in 1965, which subsequently became mandatory sanctions regimes on the unrecognised state of Rhodesia with resolution 253 (1968) and South Africa with resolution 418 (1977). Comprehensive sanctions on Rhodesia were a reaction to the Unilateral Declaration of Independence from the UK by the white minority regime, while targeted sanctions on South Africa were a response to its apartheid system and its regional military aggression and pursuit of a nuclear weapons capability. In the immediate aftermath of the Cold War, comprehensive sanctions were applied to Iraq in reaction to its 1990 invasion of Kuwait and its programs to develop weapons of mass destruction (1990-2003) and during the break-up of the former Yugoslavia (1991- 1996).

In addition, comprehensive sanctions were imposed on Haiti (1993-1994) when President Jean-Bertrand Aristide was overthrown in a coup. The 1990s witnessed a proliferation of UN sanctions regimes, most often in the form of targeted sanctions within the context of an intrastate conflict: 751 Somalia (1992-present), 788 Liberia (1992-2001), 820 Yugoslavia (1993-1996), 864 Angola (1993-2002), 918 Rwanda (1994-2008), 1132 Sierra Leone (1997-2010) and 1160 Kosovo (1998-2001) sanctions regimes. (UN sanctions regimes are conventionally known by the number of the Security Council resolution establishing the respective sanctions committee.)

Targeted sanctions represented a significant tactical innovation for the Security Council and were prompted at least in part by the perceived drawbacks of comprehensive sanctions, particularly with respect to their adverse humanitarian impact and a lack of precision in targeting those who had most threatened international peace and security.

Main Issues of Concern

The Impact of Sanctions on Humanitarian Response to COVID-19

Lifting sanctions: a political decision

Since the beginning of the outbreak, the debate on the impact of sanctions on humanitarian action has been gaining visibility. Calls to temporarily ease or suspend sanctions regimes have increased, aimed at ramping up medical and other life-saving assistance in response to COVID-19. The UN Special Rapporteur on the right to food, the High Commissioner for Human Rights, and the UN Secretary-General have been among these voices. Some states have called for a total lift of sanctions, writing a joint letter to the UN Secretary-General and proposing a draft resolution at the General Assembly. At national levels as well, including in the United States (US), numerous voices have risen in favor of sanctions relief.

Humanitarian exemptions: no panacea

Humanitarian exemptions are provided by most unilateral sanction regimes imposed by the United States and the European Union (including the ones related to DPRK, Iran, and Syria) and by some UN sanctions regimes (including related to the situation in DPRK and Yemen). Although humanitarian exemptions have allowed humanitarian organizations to operate in contexts under sanctions, they have done so with delay and at high cost. Humanitarian exemptions are complex to navigate and are no panacea for several reasons. Humanitarian organizations must undergo an authorization process established by relevant sanctions authorities to obtain specific licenses to import certain goods (including the drugs and medical devices necessary to fight COVID-19) or to conduct certain activities in areas under the control of sanctioned individuals. This costly and lengthy process often does not match the urgency of the humanitarian response.

Overcompliance: lasting and exacerbated impact

Legal and reputational concerns of intermediaries—notably financial institutions and private companies—have led to “de-risking” behaviors, whereby they refuse to facilitate transactions of

humanitarian actors operating in jurisdictions subject to sanctions although it may not be prohibited. These effects continue to play out during the pandemic and are exacerbated by shortages of medical equipment and export controls on personal protective equipment put in place by multiple states. Companies have been called to remain extremely vigilant in their compliance efforts. Facing procedurally complex transactions, companies may assess that the risks of engaging with sanctioned jurisdictions outweigh the benefits. In this context, we can expect overcompliance to increase, continuing to indirectly impact humanitarian action.

Questions to Consider

- Why have not all recommendations on reforming the process for sanctions been implemented by the Security Council and into relevant sanctions regimes?
- To what extent have the governments of Member States implemented humanitarian exemptions to sanctions into national legislation?
- What are best practices of national implementation of sanctions and humanitarian exemptions?
- What are the lessons learned from the Sanctions Regimes against Somalia, ISIL and Al-Qaida, and the DPRK?
- How can the processes of receiving exemption requests be streamlined?
- Which sanctions regimes could benefit from standing exemptions for humanitarian actors?
- Should particular sanctions be revised or should mechanisms be implemented in general resolutions, similar to how the Ombudsperson and the Focal Point reformed the UN sanctions system?

BIBLIOGRAPHY

<https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations>

<https://fas.org/sgp/crs/row/RL31696.pdf>

<https://www.usip.org/sites/default/files/2018-05/sr427-sudan-after-sanctions-sudanese-views-of-relations-with-the-united-states.pdf>

85 UN General Assembly, Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/RES/64/115), 2009, p. 5; Charter of the United Nations, 1945, Art. 41.

86 Security Council Report, Special Research Report: UN Sanctions, 2013, p. 3. 87 Ibid.

88 UN Security Council, Sanctions, 2017; UN Security Council, The situation in Mali (S/RES/2374 (2017)), 2017.

89 Security Council Report, Special Research Report: UN Sanctions, 2013, pp. 10-13.

90 Biersteker et al., The Effectiveness of United Nations Targeted Sanctions: Findings from the Targeted Sanctions Consortium, 2013, p. 7.

1 UN Security Council, Security Council Committee established pursuant to resolution 1718 (2006), 2017; UN Security Council, Security Council Committee established pursuant to resolution 1518 (2003), 2017. 92 Carisch & Rickard-Martin, Global Threats and the Role of United Nations Sanctions, 2011, pp. 15-16.

93 UN Security Council, Sanctions, 2017; UN OCHA, Somalia; UN OCHA, Democratic People's Republic of Korea.

94 King et al., Understanding Humanitarian Exemptions: U.N. Security Council Sanctions and Principled Humanitarian Action, 2016, pp. 3-7.

95 UN WFP, Nutrition Support for Children and Women and Strengthening Community Capacity to Reduce Disaster Risks:

Standard Project Report 2016, 2016, p. 8; UN WFP, Democratic People's Republic of Korea Transitional Interim

Country Strategic Plan (Year 2018), 2017, p. 2.

96 High-Level Review of United Nations Sanctions, UN Sanctions: Humanitarian Aspects and Emerging Challenges, 2015, p. 5;

Wallenstein & Grussel, Targeting the Right Targets? The UN Use of Individual Sanctions, 2012, p. 212.

97 UN Security Council, Question Concerning the Situation in Southern Rhodesia (S/RES/253 (1968)), 1968.

High-Level Review of United Nations Sanctions, UN Sanctions: Humanitarian Aspects and Emerging Challenges, 2015, p. 9.

Security Council Report, August 2017 Monthly Forecast: Sanctions, 2017.

“Protracted conflicts in the GUAM region (Georgia, Ukraine, Azerbaijan and Moldova) and its implications on international peace and security”

The GUAM Organization for Democracy and Economic Development is a regional organization of four post-Soviet states: ***Georgia, Ukraine, Azerbaijan, and Moldova***. In the last 15+ years, frozen conflicts in the GUAM region, namely in Moldova, Georgia, and Azerbaijan, have affected the lives of over 16 million people. Not only that, but they've remained a threat to international peace and security. Cooperation of Azerbaijan, Georgia, Ukraine and Moldova started in 1996 in Vienna, Austria, where four states proposed common goals and initiatives. During the Summit of Council of Europe in 1997, the Presidents of these states and stated their interests in developing regional cooperation. On 24 April in 1999, GUAM was expanded by one more member state, Uzbekistan.

In 2006, the name was changed to The Organization for Democracy and Economic Development. GUAM is a platform named after its members Georgia, Ukraine, Azerbaijan, and Moldova. Established in 1997, GUAM was originally created to improve multilateral collaboration between member nations. Nevertheless, the organization now lacks a clear purpose. The group was initiated with much support from the US, with the aim of establishing an institution to bring together countries that wanted a counterbalance to Russian influence and a guarantee of geopolitical pluralism in the post Soviet era. Despite US support, GUAM has languished in recent years. Some of its key collaboration areas, such as the rule of law and regional stability, are now being contradicted by member states.

For instance, the political situation in Azerbaijan, which is increasingly autocratic, directly violates GUAM's democratic principles. Meanwhile, the organization has not proven an effective defense against Russia. For example, during the 2008 Russia-Georgian War, Georgia was blockaded by Russia's Black Sea Fleet, on the territory of GUAM member Ukraine. The protracted conflicts have affected the lives of more than 16 million people for more than a decade, threatening international peace and security, jeopardising the sovereignty and territorial unity of three United Nations member states, making them lose control on a large part of their sovereign territories and leading to a permanent occupation of a big region of a sovereign state, causing an inflow of millions of refugees and internally displaced persons, obstructing the social-economic development of nations from that region.

The international negotiations on settlement of the conflicts have failed. They have only prolonged the conflicts. The protracted conflicts defy the security, encourage the terrorism,

aggressive separatism, organised crime, trafficking in human beings, trafficking in drugs, proliferation of light arms in territories uncontrolled by legitimate authorities.

This could mean that GUAM members and their supporters will treat Russia at international level as part of the problem of frozen conflicts, not as part of their solution from now on.

However, the settlement of frozen conflicts without Russia's contribution will be impossible; thus means to resolve conflicts in the GUAM area should be discussed through international cooperation.

Definition of keywords

1. ***GUAM*** - Organization for Democracy and Economic Development. GUAM is an international regional organization which includes the Republic of Azerbaijan, Georgia, the Republic of Moldova and Ukraine.
2. ***IDP (Internally Displaced Persons)*** – This term points to the people who were banished from its country, incapable of returning back to their homes.
3. ***GUAM's democratic principles*** - According to the GUAM's Charter, the main principles of the Organization are: promoting democratic values, ensuring rule of law and respect of human rights; ensuring sustainable development; strengthening international and regional security and stability; deepening European integration for the establishment of common security space, and expansion of cooperation in economic and humanitarian spheres; development of social and economic, transport, energy, scientific and technical, and humanitarian potential of the Parties; intensification of political interaction and practical cooperation in the fields of mutual interest.
4. ***International Peace and Security*** - A state of safety on an international level. It refers to an absence of conflict and a state of collective harmony.
5. ***Protracted conflict*** - a conflict that extends for a long period of time



GUAM Organization for Democracy and Economic Development: The Story So Far



OCT 1997

GUAM consultative forum established by Georgia, Ukraine, Azerbaijan and Moldova in Strasbourg.



JUN 2001

Uzbekistan formally joins as a member, name changed to GUUAM in the formal signing of the charter at the Yalta summit.



2002

Uzbekistan announces withdrawal from organisation, GUUAM renamed back to GUAM.



MAY 2006

Kiev summit held, GUAM renamed to "GUAM Organization for Democracy and Economic Development". Earlier goals discussed and reaffirmed.



APR 2005

Chisinau Summit held; topics discussed included European integration, democratization, economic development and security in the region.



2004

GUAM Parliamentary Assembly established in Kiev to provide legislative support to projects of cooperation and harmonization of legislation.



JUN 2007

Presidents of Lithuania, Poland and Romania attend Baku summit, with representatives of UNESCO, the USA and Japan.



NOV 2016

Resolution GA UN 71/15 - Cooperation between the United Nations and GUAM adopted by the UN General Assembly.



OCT 2018

Summit at Chisinau held, leaders present adopted the Joint Statement of the Heads of Government of the GUAM Member States.



JUN 2020

Plenary meeting of UN: Protracted conflicts in the GUAM area and their implications for international peace, security and development: report of the Secretary-General discussed.



NOV 2019

12th Annual Session of the GUAM Parliamentary Assembly was held. Decision on Priorities of Cooperation for 2020 - 2023 signed.

Major Issues

Major issues involving countries:

1. Georgia

More than 2,000 Georgian civilians have lost their lives and more than 8,000 residences have been destroyed since deployment of Russian peacekeepers to Abkhazia. Russian peacekeepers have been incapable to help more than 250,000 internally displaced persons to return to their homes in at least 12 years.

2. Azerbaijan

The occupation forces in Azerbaijan territory must be pulled out from the occupied territories and conditions for the comeback of internally displaced people to their residences in Azerbaijan' neighbouring territories.

3. Republic of Moldova

More active and systematic cooperation is needed with regional organisations qualified to deal with the conflicts. Moldova continues to be concerned with the situation in the security zone. The inefficiency of the current peacekeeping mechanism dictates the need to turn it into an international peacekeeping mission under an international mandate.

Refugees:

One major issue that all member states of the GUAM organization has is to do with the refugees. Hundreds of Thousands of refugees who are both physically and mentally displaced people from the GUAM regions are issued to be discussed.

Diplomatic Issues:

The current diplomatic status of the member states of the GUAM organization is on thin ice. With constant conflict against Russia, member states are suffering from political pressure, Russian hard power and sanction. There needs to be a breakthrough to overcome the current diplomatic flaw holes in the future.

Previous Actions

1. Georgia

With the disposition of peace keepers of Russia in Georgia, more than 2,000 civilians of the country lost their lives. Moreover, more than 8,000 residences have been ravaged and in the case of IDPs(internationally displaced persons), they have been stopped to return back to their settlements for more than 12 years. Although Georgia has carried on with the peacekeeping framework and negotiation with the existing conflicts, these acts having no function anymore, it started to reach the limit. Their peacekeeping framework is revealed to have only instant shortcomings. Thus, Georgia, particularly, has requested high hopes compared to other regions during the General Assembly Debate. It has been dealing with two frozen conflicts, one in Abkhazia and the other in South Ossetia. At the General Assembly Georgian President Mikheil Saakashvili articulated that the international organizations and the hand of international organizations is desperately needed.

2. Republic of Moldova

The Republic of Moldova has undertaken a sequence of complementary actions by “ impelling the conflict resolution process, adopting the law on basic provisions of the special legal status of the districts from the left bank of the Dniester river (Transnistria), a law which guarantees the right of the region to resolve its legal, social, economic problems alone in the limits of Moldova’s Constitution.” Also as a Chair of the Organization for Democracy and Economic Development GUAM, the Republic of Moldova has promoted the collective resolution “Protracted conflicts in the GUAM area and their implications for international peace, security and development”, in the continuing General Assembly debates.

3. Azerbaijan

Azerbaijan has systematically promoted the essential importance of upholding law and of its devoted application with an aspect to achieving a long-awaited breakthrough in solving the conflict and ending the occupation of the territories of Azerbaijan Republic and also the suffering of the peoples littered with the Armenian aggression. Over the years since the start of the conflict, Azerbaijan has actively inspired discussions on the legal aspects of the conflict, as well as among the UN, and has delivered to the eye of the international community various legal reports. Some of them include the reports on the legal consequences of the armed aggression of

the Republic of Armenia against the Republic of Azerbaijan (A/63/662-S/2008/812), on the international legal responsibilities of Armenia as the belligerent occupier of Azerbaijani territory (A/63/692-S/2009/51) and on outlawed economic and different activities within the occupied territories of Azerbaijan (A/70/1016-S/2016/711), that validated that Armenia's policy and practices within the occupied territories of Azerbaijan were in breach of law of nations, undermined the prospects of achieving a political settlement of the conflict and posed an impending threat to peace, security and stability within the region.

4. Ukraine

Since 2014, the conflict of the GUAM area has been very relevant to Ukraine. The Russian aggression against Ukraine has brought about 1.7 million of Internally Displaced Persons (IDPs). The detriment of families and people's lives of Ukraine endures. Also, not only for the IDPs of Ukraine, but for the IDPs in Georgia, Ukraine continuously urged all UN Member States to lend them a hand by fully supporting presented documents aiming for humanitarian goals. Furthermore, it has strongly shown full support for the draft resolutions related to this issue and for Georgia's sovereignty and territorial integrity.

5. United Nations (General Assembly, Security Council)

As to solve the protracted conflicts of the GUAM area and to aim for international peace, security and development, the United Nations has made various acts such as adopting resolutions regarding the conflicts of the GUAM region and has established several work programmes. It has worked to ask the specialised agencies, components, organizations, programmes and funds of the UN system to collaborate and develop direct contacts with the Organization for Democracy and Economic Development – island for the joint implementation of comes aimed toward the attainment of common objectives, and therein context takes note of the extant action of cooperation between the Organization for Democracy and Economic Development – island and therefore the UN workplace on medication and Crime.

Affiliated Document & Organizations

1. **UN GA Resolution 70/265** Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia This resolution adopted by the General Assembly on 7 June 2016, it has acknowledged the right of

Internally Displaced Persons in Georgia, Abkhazia and the Tskhinvali region to return back to their homes regardless of ethnicity. Also, the resolution urged the need of the humanitarian activities for all Internally Displaced Persons such as the guarantee of security conditions.

2. **OSCE - GUAM Statement at 568th** (Special) Meeting of the OSCE Permanent Council
This statement stated that the protracted conflict of the GUAM region should be resolved based on the norms and principles of international law. Here, principles of the international law meaning all of those referring to territorial integrity, sovereignty and inviolability of international borders, also includes UN Security Council resolutions and the OSCE decisions.

Bibliography

1. “Organization for Democracy and Economic Development.” *GUAM*, 9 Jan. 2020, guam-organization.org/en/.
2. “Statement by the Delegation of Ukraine at the UNGA Meeting under Agenda Item 33 ‘Protracted Conflicts in the GUAM Area and Their Implications for International Peace, Security and Development.’” *Permanent Mission of Ukraine to the United Nations*, 7 June 2016, ukraineun.org/en/press-center/75-statement-by-the-delegation-of-ukraine-at-the-unga-meeting-under-agenda-item-33-protracted-conflicts-in-the-guam-area-and-their-implications-for-international-peace-security-and-development/.
3. “Can China Help GUAM Diversify Away from Russia?” *Foreign Policy Research Institute*, 9 June 2017, www.fpri.org/article/2017/06/can-china-help-guam-diversify-away-russia/.
4. Botan, Igor. “Appeal of GUAM and Eventual Implications.” *Democracy.md*, 30 Sept. 2006, www.e-democracy.md/en/monitoring/politics/comments/200609301/.
5. “UN GA Resolution 70/265 Status of Internally Displaced Persons and Refugees from Abkhazia, Georgia, and the Tskhinvali Region/South Ossetia, Georgia.” *GUAM*, 4 June 2017, guam-organization.org/en/un-ga-resolution-70-265-status-of-internally-displaced-persons-and-refugees-from-abkhazia-georgia-and-the-tskhinvali-region-south-ossetia-georgia/.
6. <https://geneva.mfa.gov.az/files/BMT%2013.07.17.pdf>