

Forum: 4th Committee (Political)

Issue: Strengthening the role of the UN in political settlement in conflict zones

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Introduction

Conflicts continue to challenge the international community and take a heavy toll on nations and people around the world. This year, moreover, marks the thirty fifth anniversary of the Manila Declaration on the Peaceful Settlements of International Disputes, the seminal resolution in which Member States reaffirmed their commitment to settling differences through peaceful means. The United Nations has continuously adapted its peace and security capacities to meet evolving international realities. Mediation continues to be one of the most useful and frequently employed means of conflict prevention and resolution. However, the understanding and application to preventive diplomacy, peacemaking, peacekeeping and peacebuilding is yet hard to achieve.

Definition of key terms

The United Nations - an international organization formed in 1945 by the victors of the World War II to promote peace

Political settlement - a complex of measures that are taken to eliminate internal strife within society in case of war or crisis.

Peacekeeping - the active maintenance of a truce between nations or communities, especially by an international military force.

Conflict zone - a zone in which belligerents are waging war or a disputed area where violence is likely to break out.

Background Information:

1) The role of the UN after the end of the Cold war

The progress in the resolution of several major regional conflicts after the end of the Cold war is due to the growing trend towards multilateralism, which was at that moment the new detente in superpower relations. By bringing pressure to bear on client states who are belligerents the Superpowers have facilitated conflict settlement and resolution processes. Several improvements in East-West relations have clearly helped bring about the tentative settlement of several major regional conflicts including the Iran-Iraq war, Angola-Namibia, the Western Sahara, Afghanistan, and Cambodia.

The Soviet Union under Gorbachev has also committed itself to international cooperation

and multilateral institutions. It has indicated it wants to reinvigorate the UN by making better use of the Security Council, the General Assembly, the International Court of Justice, and other UN bodies to resolve international disputes.

But improved superpower relations are obviously not the only factor which explains those trends. War weariness also accounts for the desire of belligerents to terminate hostilities. This is what some observers call the “ripeness” phase of dispute settlement: the prospects for a negotiated settlement to a conflict are greater when war weariness has set in among the parties and a conflict has reached a plateau in which unilateral advantage is no longer possible. In the Iran-Iraq war eight years of conflict had clearly taken their toll on the economics of both sides and in human lives and suffering. In the Central American conflict war weariness in the region's population, as well as the dynamic leadership exercised by President Arias, helped generate momentum for the nascent peace process. In Angola-Namibia the conflict had reached a stalemate and there was strong interest on the part of all parties to end a lengthy guerrilla war that had grown too costly.

UN involvement also could not have occurred without high levels of international cooperation more generally, including the concurrence of the parties to the dispute, the support of the five permanent members of the Security Council (and concurrence of at least four non-permanent members), and the willingness of countries to make troops available for peacekeeping and observer missions. At the same time, the UN has some special attributes which are conducive to international peace-making. First, in international mediation the Office of the UN Secretary General can be objective and independent, more so than the great powers. Second, governments who are prepared to negotiate but are afraid of losing face or appearing weak can use the UN machinery as a channel for communication because they will be seen as cooperating with world opinion. Third, neutrality or impartiality is critical to the UN's record in peacekeeping. Finally, the UN has to some extent become the victim of its own recent success which has generated new calls for the use of its “good offices” in dispute settlement.

2) The question of effectiveness of the UN's decisions

As it is known, the majority of the decisions of the United Nations are non-binding; this means that the United Nations has no legislative power or the punitive mechanism to enforce their decisions. The only committee of the United Nations that produces binding decisions for the Member States and the only committee that can authorize military operations and impose economic sanctions on nations is the Security Council. This situation creates a state of imbalance within the United Nations as all the decisions concerned with the topic other than those considered by the Security Council are not obligatory, thus ineffective. The issue could be solved, or at least mitigated, by the reform of the United Nations. However, due to veto being used every time the discussion on the reforms starts it seems that the question of the reform of the United

Nations is a long-run question.

Throughout the last two decades due to the end of the Cold War the role of the United Nations in political settlement has verily increased. From the early 2000s the UN has been launching more and more complex peace-keeping missions that are sponsored by a growing number of states and that play a bigger role than ever in history. Still, this role is not as major as we hope it was, since the UN credo is not to fight the body accused of wrong-doing, but to endeavor to find a consensus that could satisfy.

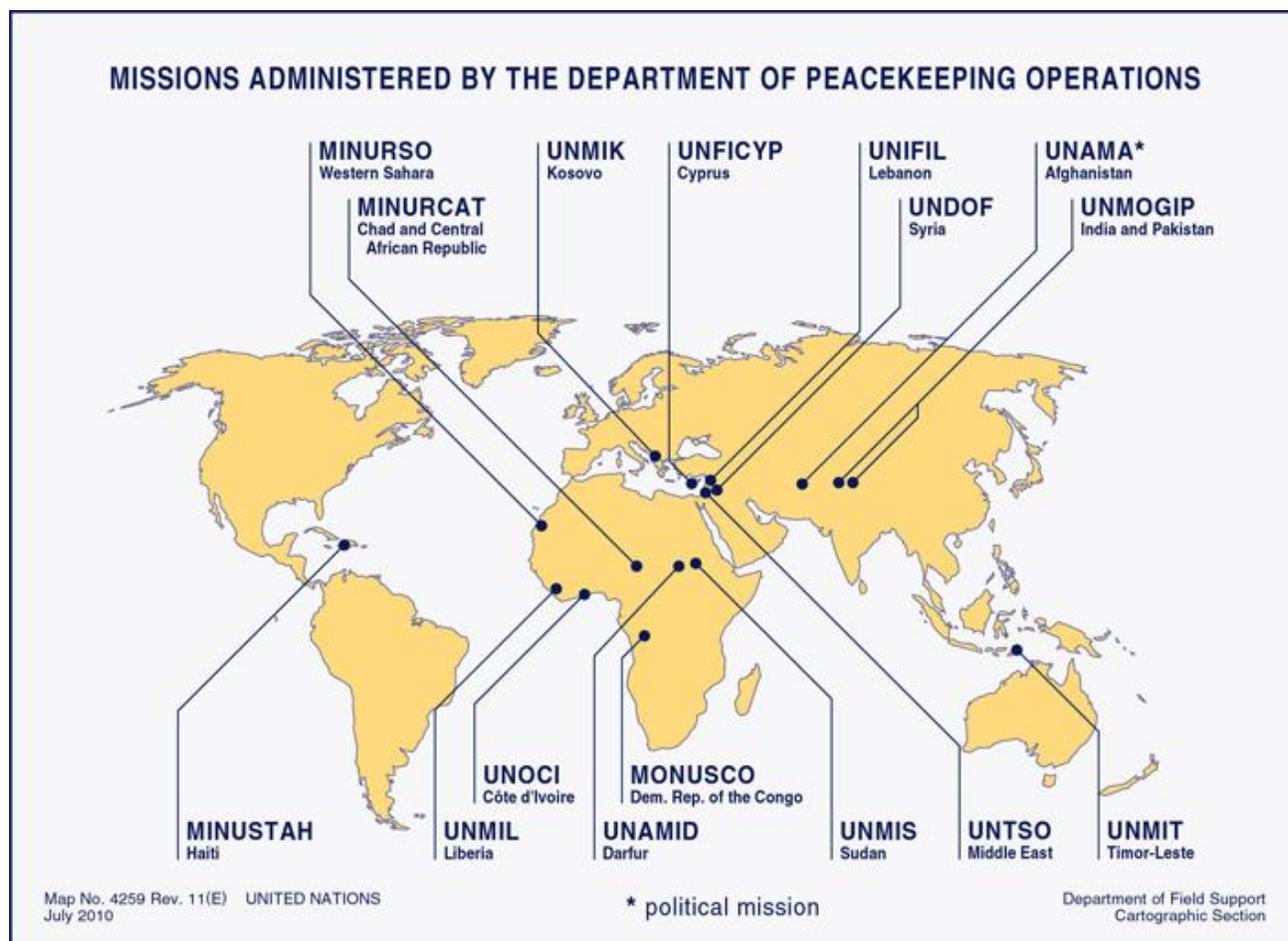
3) The UN peace-keeping operations

There are currently 15 UN peacekeeping operations deployed on four continents that encompass 110,000 soldiers all over the globe. Peacekeeping has proven to be one of the most effective tools available to the UN to assist host countries navigate the difficult path from conflict to peace.

UN Peacekeeping is guided by three basic principles:

- 1) Consent of the parties;
- 2) Impartiality;
- 3) Non-use of force except in self-defense and defense of the mandate.

Peacekeeping is flexible and over the past two decades has been deployed in many configurations. Today's multidimensional peacekeeping operations are called upon not only to maintain peace and security, but also to facilitate the political process, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants; support the organization of elections, protect and promote human rights and assist in restoring the rule of law. Success is never guaranteed, because UN Peacekeeping almost by definition goes to the most physically and politically difficult environments. However, we have built up a demonstrable record of success over our 60 years of existence, including winning the Nobel Peace Prize. Peacekeeping has always been highly dynamic and has evolved in the face of new challenges. Former Secretary-General Ban Ki-moon established a 17-member High-level Independent Panel on UN Peace Operations to make a comprehensive assessment of the state of UN peace operations today, and the emerging needs of the future.



4) The UN involvement in the recent conflicts

a) The Syrian Civil war

One of the most vivid examples of UN's lack of authority was demonstrated on the 7th of April 2017. That day the USA launched 59 Tomahawk cruise missiles with an estimated value of \$100 million from the Mediterranean Sea into Syria, aimed at the Shayrat Airbase controlled by the Syrian government. This strike was received in diverse ways by different countries, but the crux of the problem is that the strike was not authorized by the Security Council. Thus, this strike added more tension to the relations between Russia and the USA, the former cancelling the act of Mutual Understanding between them and the after being condemned by the pro-Syrian governments of performing a unilateral act of aggression

b) The DPR Korea crisis

Since 2005, every year the General Assembly passes a resolution that is concerned with violations of human rights in the DPRK. The United Nations is largely responsible for the implementation of economic sanctions on the DPRK that have impeded the economic growth of the country putting in on the brink of a full-scale economic crisis, undermining its coal production.

Still, as the sanctions have proven to be an ineffective measure against the totalitarian government of the DPRK, the continuous debate over the Korean Peninsula in the United Nations appears to be a deadlock, not a pathway to consensus.

Major organizations involved:

- *The United Nations Environment Programme (UNEP)*
 - The United Nations Environment Programme (UNEP) supported natural resources negotiations in the central highlands of Afghanistan. In most cases, UNEP provides baseline information to assist negotiations, but on occasion has mediated with the consent of parties.
- *United Nations Regional Centre for Preventive Diplomacy for Central Asia*
 - Plays an important mediation role in promoting responsible sharing and management of the region's water supply among the five Central Asian States.
- *Secretary General*
 - The Secretary General possesses the biggest potential to be used more effectively than they are now for crisis prevention and to defuse hostilities before they escalate to armed conflict.
 - The creation within the Secretary General's Office of an Office for Research and the Collection of Information (OCRI) is intended to improve data collection and interpretation and to help the Secretary General better anticipate regional and international developments.
- *General Assembly*
 - Requests, resolutions, consensus made by the General Assembly deeply impact the framework in which United Nations mediators work within.
 - The body constitutes a mandate of the United Nations, being able to capture all the different arguments and opinions of all Member States needed to resolve and prevent disputes.
- *Security Council*
 - Security Council has the authority to deploy Peacekeeping Forces around dispute areas based and enforce sanctions in dispute areas based on resolutions.

Previous attempts to solve the issue:

- In 1999, the Secretary-General developed guidelines on certain aspects of negotiation (revised in 2006), which emphasize that the United Nations cannot condone amnesties for war crimes, genocide, crimes against humanity and gross violations of human rights.
- Since 2003, the United Nations Development Programme (UNDP) has provided support to local mediation and dialogue processes at both national and local levels in 40 countries. For example, this took the form of the Common Space Initiative in Lebanon to create inclusive spaces for dialogue and knowledge sharing in which sensitive issues and challenges of common national concern could be addressed; or the strengthening of existing conflict resolution mechanisms at the local level in Kyrgyzstan.
- At the World Summit in 2005, the General Assembly embraced, by consensus, the Responsibility to Protect principle, stipulating a responsibility for individual state as well as for the international community to protect populations from genocide, crimes against humanity, ethnic cleansing and war crimes (resolution 60/1 paras. 138-139)
- With the adoption of Security Council resolution 1325 (2000), the promotion of women's representation in peacemaking became an expectation for conflicting parties and mediators. Likewise, strong norms for the protection of civilians have emerged, in particular with regard to conflict-related sexual violence against both women and men and the protection of children affected by armed conflict, including the prohibition of recruitment and the early demobilization of child soldiers.
- Adopted by consensus, resolution 65/283 broadened Member States' support for mediation by complementing the attention given to this issue in the Security Council. Importantly, the resolution recognized the contributions of all key actors - Member States, the United Nations system, subregional, regional and other international organizations, and civil society - and provided fresh perspectives on the use and further adaptation of mediation to contemporary disputes and conflicts. Through "An agenda for peace: preventive diplomacy, peacemaking and peace-keeping" (A/47/277-S/24111) and its supplement, the position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations (A/50/60-S/1995/1), the United Nations took steps to enhance its understanding and application of preventive diplomacy, peacemaking, peacekeeping and peacebuilding.

Possible solutions

- 1) Reinforce the mediator with a team of specialists, particularly experts in the design of mediation processes, country/regional specialists and legal advisers, as well as with logistics, administrative and security support. Thematic experts should also be deployed as required.
- 2) Noticing the desires of the actual belligerents instead of the interfering powers. Even if the superpowers have interest in using the UN, UN involvement in dispute settlement should also depend upon the willingness and desire of belligerents in regional conflict.
- 3) Clear the blur line between interstate or regional and domestic or communal violence. Most states refuse to allow outside intervention in their own internal affairs and the concept of state sovereignty and non-intervention is enshrined in international law.
- 4) Commitment of resources to respond rapidly and to sustain support for the meditation process, including deployment of personnel on a continuous basis for medium- and long-term engagements.
- 5) Acknowledging the tradeoffs between certain kinds of conflict management, like peacekeeping, and conflict settlement or resolution: The interposition of peacekeeping forces in certain conflicts may in fact “freeze” the possibilities for settlement by moving these conflicts to a “stable” equilibrium from which it is difficult to budge the parties to the dispute. Short-term management of a conflict will inevitably have an impact on its possibilities for long-term settlement and resolution.

Useful links

United Nations Peacemaker - Mediation Support Overview

<https://peacemaker.un.org/mediation-support>

United Nations Department of Political Affairs: Prevention and Mediation

<http://www.un.org/undpa/en/diplomacy-mediation>

United Nations Ombudsman & Mediation Services:

<http://www.un.org/en/ombudsman/medservices.shtml>

A/RES/70/304. Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution

<https://peacemaker.un.org/GA%20Resolution%20A/RES/70/304>