



October 15 - 16, 2021

SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

Discussing the increase of power of the United Nations (implementation of sanctions)



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Debate Policies

The overall quality of Union & Peace debates relies on the preparation of the staff members of Union & Peace as well as the preparation and behavior of delegates during and after sessions. It is critical for delegates participating in Union & Peace to follow the policies and parliamentary procedures set forth by the Secretariat as well as the following guidelines.

Position paper

All delegates are required to submit a copy of their position paper, either through mail or directly to their Chair during registration. Delegates wishing to submit their position paper must follow requirements of submission found in the position paper guide in our website. Delegates who do not submit a position paper to the Chair or through mail are not eligible for an award. The position paper is a criteria for awards, so it is recommended that all delegates prepare a well-written position paper.

Parliamentary Procedure

During debate, delegates are required to follow the parliamentary procedure set forth by Union & Peace.

Technology

The use of technology is prohibited at all times during debates except during unmoderated debates. During unmoderated debates, delegates may use their laptops and tablets for writing working papers. Delegates may use technology during a time other than an unmoderated debate as indicated by the chair.



Committee Background

During the twenty-ninth session of the General Assembly in 1974, the Assembly created an Ad Hoc Committee that was dedicated to integrating all of the proposals made by any country inside of the organization related to enhancing the ability of the United Nations to achieve its purpose: to maintain international peace and security. The committee was also focused on listening to ideas that do not require any sort of amendment to the Charter of 17th of December 1974, which is entitled “Need to consider suggestions regarding the review of the Charter of the United Nations.” During the thirtieth session of the General Assembly, the Assembly decided to reconvene and rename the Ad Hoc Committee as “Special Committee of the Charter of the United Nations and of the Strengthening.” This committee now has a more specific role of maintaining and consolidating international peace and security to prevent or minimize the use of armed weapons. They also strengthen the development of cooperation among all nations. Finally, the committee also has to promote the rules of international law and has since remained active.



Topic Background

The United Nations (UN) has been constantly criticized for not being as effective as claimed. The UN has been pointed out for taking very few or no actions in some very tense moments and events in history such as the detention camps in Xinjiang, China. There have been many occurrences in which the interest of some States have gone beyond the UN like the invasion of the United States in Iraq in 2003. Sanctions in many cases are applied after a certain conflict has ended, but are not that effective to directly combat a problem. The main types of sanctions that are present in the UN are diplomatic, economic/financial, and environmental sanctions. Diplomatic sanctions are the removal of diplomatic ties, economic sanctions are trade prohibitions on certain economic sectors, and environmental sanctions are preserving the environment and the safeguarding of natural resources. Other types of sanctions include sports sanctions which consist of sport-disqualification of a particular nations from participating in international events and military interventions, which are imposed rarely.



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The sanctions that are placed by the UN always have the goal of protecting national safety interest, world-wide peace, and to keep up with international law. The UN describes how sanctions are not meant to be punitive, but rather as being part of a negotiation strategy trying to achieve peace and stability.

Sanctions are individually targeted and are imposed upon individuals, groups, undertakings, and entities. Currently, there are 14 ongoing sanctions regimes focused on supporting political settlement of conflicts, counter-terrorism, and nuclear non-proliferation. Each sanction regime is administered by a sanctions committee that is chaired by a non-permanent member of the Security Council. There are a total of 10 monitoring groups, teams, and panels that support the work of 11 out of the 14 sanctions committee. These sanctions vary depending on the purpose that is of urgency. In the 2005 World Summit declaration, the General Assembly called on the Security Council to ensure that fair and clear procedures are in place for the imposition and lifting of sanctions in order to be fair, effective, and humane.



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The process for removal from the lists, also known as delisting, has been a source of controversy and now, petitions for delisting are accepted and addressed by various committees to ensure fairness.



General History

The Security Council first imposed voluntary sanctions on the apartheid regimes of South Africa in 1963 and Southern Rhodesia in 1965, which later on became mandatory sanctions regimes after being recognized on the resolution 253 (1968) and resolution 418 (1977). Comprehensive sanctions on Rhodesia were imposed as a response to the Unilateral Declaration of Independence from the United Kingdom by the white minority regime, while targeted sanctions on South Africa were a response to its apartheid system and regional military aggression and pursuit of nuclear weapons. In the aftermath of the Cold War, comprehensive sanctions were imposed on Iraq in response to its 1990 invasion of Kuwait and its programs to develop weapons of mass destruction from 1990 to 2003 and during the break-up of the former Yugoslavia from 1993 to 1994 when President Jean-Bertrand Aristide was overthrown in a coup.

In the 1990s, a proliferation of UN sanctions regimes, most often in the forms 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). UN sanctions regimes are known by the number of the Security Council (SC) resolution establishing the respective sanctions committee, which is why every sanction includes a number. Targeted sanctions represented significant tactical innovations for the Security Council and were prompted due to the drawbacks of comprehensive sanctions that were perceived, particularly regarding their humanitarian impact and a lack of precision in targeting those who had most threatened international peace and security.

Because of the problems such as economic hardships that may be confronted by those facing sanctions, in 1955, it was recognized that “further collective actions in the Security Council within the context of any future sanctions regime should be directed to minimize unintended adverse side-effects of sanctions on the most vulnerable segments of targeted countries” (S/1995/300). While resolving intrastate conflict remains a common objective, there has also been a trend toward using targeted sanctions for other purposes like nonproliferation, counter-terrorism, democratisation, and protection of civilians along with human rights.

Committee Focus

Taking into consideration that the concerns over unilateral coercive measures and their unintended humanitarian consequences are growing, the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization has to discuss if the sanctions established and implemented by the UN are a violation of the states' rights or if they are necessary measures to strengthen the organization's role. The committee should also discuss if the sanctions being implemented are the most effective and adequate.

Points to take into consideration:

- The main objective and role of the United Nations.
- What limitations does the organization have?
- How effective is the UN currently?
- How much power does the UN currently hold?
 - How much power is too much power?
- Which are the set standards to determine the implementation of the sanctions and how are they set?
- What are some flaws in the charter (UN founding document) that are holding the UN back?
- What can be done to maximise the effectiveness of sanctions?



Perspectives

References from United Nations, “Delegations Differ over Sanctions amid Growing Concerns over Humanitarian Impact, as Special Committee on United Nations Charter Begins 2021 Session | Meetings Coverage and Press Releases,” [www.un.org](https://www.un.org/press/en/2021/l3291.doc.htm), February 16, 2021, <https://www.un.org/press/en/2021/l3291.doc.htm>.

- **Iraq:**

Iraq believes that the committee remains a forum for clarifying and promoting general international law and the Charter’s provisions. It states that there is a great importance to strengthening the capacity of the United Nations to implement consensus-based approaches in addressing matters related to international cooperation, development, peace, security, and human rights. The nation also wants to be provided with a comprehensive presentation on the humanitarian effects of sanctions imposed by the Council’s sanctions committees stating, “sanctions regimes should avoid unintended consequences in the target State or third States, which may lead to violations of human rights and fundamental freedoms.”

- **Ukraine:**

Similar to the Republic of Moldova and Georgia, Ukraine states that the Charter still remains the primary legal instrument for the maintenance of international peace and security. Sanctions remain a powerful tool to promote stability, and targeted sanctions are helping to prevent unintended humanitarian effects, which is why the States must respect the Charter as a means to ending continuing conflicts.

- **Syria:**

Syria stresses the importance of strengthening the role of the United Nations on the basis of constructive self-criticism that addresses issues that drive away trust. The nation has concerns regarding States and the organization, the UN, violating the sovereign rights of other States. The delegation mentions as a clear example the situation in Syria, in which sanctions against Damascus are not targeted and adversely impact the daily lives of Syrians.

- **United States of America:**

The United States of America states that Member States must dedicate themselves to preventive diplomacy, emphasizing that the committee must not pursue activities in the area of peace and security that duplicate the efforts of other United Nations organs. The nation believes the committee should work as part of broader initiatives to make better use of scarce resources and must not be used as a forum for discussing bilateral matters.

- **China:**

China points out that sanctions are a means rather than an end, agreeing to the implementation of sanctions by the United Nations in order to maintain international peace and security. This nation also mentioned that all parties must oppose the imposition of sanctions that contrive those being implemented by the organization.

Participation List

1. Iraq
2. Syria
3. Ukraine
4. United States of America
5. China
6. Republic of Korea, South Korea
7. Mexico
8. Democratic's People of Korea, North Korea
9. Burkina Faso
10. Russian Federation
11. European Union
12. North Korea
13. Cuba
14. Guatemala

Key Terms

- **Counter-terrorism:** anti-terrorism; against terrorism.
- **Humane:** marked by compassion, sympathy, or consideration for humans or animals.
- **Intrastate:** within a country.
- **Law:** a binding custom or practice of a community such as rules of conduct that are formally recognized or enforced by an authority.
- **Multilateralism:** involving or participated in by more than two nations or parties.
- **Sanctions:** penalty for noncompliance with a law or legal order.
- **Unilateralism:** policy of taking unilateral action, which is done by one person or party, no matter the outside support/reciprocity.

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