



**United Nations Security Council (UNSC)**

**Topic A: Efforts to guarantee the protection of civilians by ensuring the humanitarian aid supplies during armed conflicts**

**Introduction:**

Fully alarmed by the problematics that the international community is facing, the United Nations Security Council assumes its responsibility of maintaining peace and security in the world. The Council is committed to take the measures needed, even if they are coercive, to discourage severe threats and ensure the protection of civilians in armed conflict situations.

Essentially, armed conflicts threaten the integrity of civilians therefore providing entire regions with devastating consequences. There are countless examples of conflicts and wars that have cost the security and well-being of civilians, and most of them emerged with the intention of imposing political ideologies and agendas. In some cases, targeting civilians in specific conflict zones or purposefully obstructing the humanitarian aid supplies is used by several actors as a tactic of warfare, despite it being strictly forbidden by international law.

Direct assaults are considered heinous crimes, due to the probability of citizens being torn into the conflict as bystanders or becoming victims of bullets and bombs at a capacity where it gets difficult to determine the casualties due to the chaos created by the war. Also, civilian casualties in combat zones are often related not to the conflict itself, but to the conditions of poverty, hunger, and medical insufficiency that prevail in the area. Thus, casualty rates suddenly increase when civilians face aggravating food insecurity, lack access to reliable medical care, and are exposed to other types of danger, such as sexual violence.<sup>1</sup>

In this regard, International Humanitarian Law recognizes that the population of any State affected by any armed conflict has the right to acquire humanitarian assistance. The Security Council is responsible for protecting and promoting human rights to guarantee international peace and security by encouraging respect for fundamental freedoms. Therefore, seeking diplomacy and international cooperation among member States and international organizations to ensure humanitarian aid supplies during armed conflicts is essential to fully account for the necessities of civilians.

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<sup>1</sup> World 101 From the Council of Foreign Relations. "The Civilian Consequences of Conflict." World 101 From the Council of Foreign Relations. Last Updated October 10, 2023. Access December 26, 2023. <https://world101.cfr.org/understanding-international-system/conflict/civilian-consequences-conflict>





## Concepts and definitions:

- **Civilian:** any individual that is not involved in any security force or police, and that does not hold any relevant position in peacekeeping or first responder agency.<sup>2</sup>
- **Conflict:** dispute between two parties that may or may not have escalated into an armed confrontation, which often compromises the integrity of civilians. Some examples are wars between two or more countries, civil wars, or wars between States and violent non-State actors.
- **Human Rights:** assurances of dignity for human beings to live free of discrimination, regardless of ethnicity, nationality, language, religion, identity traits, etc.
- **Humanitarian aid:** assistance to those most in need, usually provided by international organizations, NGOs, or volunteering personnel. The term is commonly used for those individuals or populations whose most basic needs for survival are not met. Without assistance death may be imminent.<sup>3</sup>
- **Peacekeeping:** national or multinational forces that are meant to help control and resolve an actual or potential armed conflict between or within States.<sup>4</sup> Within the United Nations, the Security Council has the possibility of deploying peacekeeping troops throughout conflict zones.
- **Vital infrastructure:** collection of systems, networks, and public works that the government of a country considers indispensable for its functioning and the safety of its citizens.<sup>5</sup>

## Current issue:

The United Nations Security Council adapts its position to attain responsibility for the maintenance of international peace and security based on the current needs to promote and ensure the principles and governing norms of International Humanitarian Law.<sup>6</sup> On that

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<sup>2</sup> Cambridge Dictionary. Civilian. Cambridge Dictionary. (n.d.). Access December 26, 2023. <https://dictionary.cambridge.org/dictionary/english/civilian>

<sup>3</sup> Global Humanitarian Assistance. Defining humanitarian assistance. Global Humanitarian Assistance. (n.d.). Access December 26, 2023. <https://web.archive.org/web/20171102215158/http://www.globalhumanitarianassistance.org/data-guides/defining-humanitarian-aid>

<sup>4</sup> Caplan, R. Peacekeeping/ Peace enforcement. Encyclopaedia Princetoniensis. (n.d.). Access December 26, 2023. <https://pesd.princeton.edu/node/561>

<sup>5</sup> Wright, G. Critical infrastructure. Techarget. Last updated in August 2023. Access December 26, 2023. <https://www.techtarget.com/whatis/definition/critical-infrastructure>

<sup>6</sup> United Nations - Security Council (2016). Resolución 2286 (2016).





matter, the Council has been collaborating with joint General Assembly Resolutions (70/104, 70/106, and 69/132) until it approved Resolution 2286 (2016).<sup>7</sup>

Specifically, International Humanitarian Law consists in a set of rules which seek, for the sake of the population, to limit the effects of armed conflict (and end it immediately if possible). The main objective of these rules is to protect people who are not a part of or are no longer participating in hostilities. In this regard, the Geneva Conventions restrict the means and methods of a war aiming to avoid human casualties. *“International humanitarian law is also known as the law of war or the law of armed conflict”*.<sup>8</sup>

Therefore, in the context of armed conflict, emphasis has been placed on conducting humanitarian responses for any humanitarian crises caused by war. Seeking integral strategies to protect people’s health and well-being is a key element of the assistance, adding to a recovery process and peacekeeping to foster a better life for civilians.<sup>9</sup> Thus, States are formally committed to addressing the needs of those in the most vulnerable situations during armed conflict, especially women and children, and those at greatest risk due to disability, gender identity, sexual orientation, ethnicity, age, religion, and beliefs. However, the current issue relies on the fact that there is often a lack of compliance from them.

Humanitarian aid often serves as a substitute for measures that should be taken by the parties of the conflict themselves, but they avoid their responsibilities, and without assistance the situation would get dire for the civilians in the area. Nevertheless, humanitarian aid should be provided carefully because there are generally other factors that must be considered. For example, if the State has been weakened, humanitarian aid can directly aggravate the situation, particularly by creating a parallel economy or a non-State healthcare system, managed by aid organizations. In the same way, even when humanitarian aid seeks to support civilians, it can increase violence in conflicts. If diverted, these resources can be used to purchase weapons and thus aggravate conflict. Also, recipients of aid (whether the general civilian population or detainees) may become targets of armed groups attempting to seize relief supplies.<sup>10</sup>

That being said, one of the most recent statements on the importance of ensuring humanitarian aid supplies began shortly after the conflict in Gaza broke out on October 7<sup>th</sup>. The International Court of Justice (ICJ) opened an ongoing investigation, enabling a link to

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<sup>7</sup> United Nations. 37. *Protection for humanitarian assistance to refugees and others in conflict situations - Initial proceedings* (2016). United Nations. [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/en/sc/repertoire/96-99/Chapter%208/Thematic/96\\_99\\_8\\_Thematic\\_37\\_Protection%20for%20humanitarian%20assistance%20to%20refugees.pdf](https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/en/sc/repertoire/96-99/Chapter%208/Thematic/96_99_8_Thematic_37_Protection%20for%20humanitarian%20assistance%20to%20refugees.pdf)

<sup>8</sup> ICRC. *What is International Humanitarian Law?* (2004) Advisory Service on International Humanitarian Law. [https://www.icrc.org/en/doc/assets/files/other/what\\_is\\_ihl.pdf](https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf)

<sup>9</sup> OHCHR. (2023, 26 junio). *Emergencias humanitarias y situaciones de conflicto*. <https://www.ohchr.org/es/topic/humanitarian-emergencies-and-conflict-situations>

<sup>10</sup> 1. (s. f.). *The impact of Humanitarian Aid on Conflict Development* - ICRC. <https://www.icrc.org/en/doc/resources/documents/article/other/57jpci.htm>





provide the submission of complaints regarding war crimes, crimes against humanity, genocide, and aggression, which violate International Humanitarian Law.<sup>11</sup> In response, the Security Council has called on the parties to “permit, facilitate and allow” the immediate, safe, and unimpeded delivery of large-scale humanitarian assistance directly to the Palestinian civilian population throughout the Gaza Strip, which are the same requests seen in Resolution 2720.

Additionally, another aspect to consider is that humanitarian personnel often dies while trying to ensure aid supplies for civilians during armed conflicts. According to the United Nations, 116 humanitarian workers died while conducting their work in 2022. Similarly, as of August 2023, 62 humanitarian workers had already died, 84 had been wounded and 34 had been kidnapped, also according to the United Nations, which cited provisional data from the independent research organization Humanitarian Outcomes. Moreover, since October 7<sup>th</sup>, a total of 17 United Nations’ workers has died in Gaza.<sup>12</sup> However, without International Humanitarian Law, the situation would be even worse.

### **International initiatives:**

In the face of complex armed conflicts worldwide, the international community has undertaken multifaceted efforts to guarantee the protection of civilians and ensure the delivery of humanitarian aid supplies. This necessity arises from the recognition that civilians caught in the crossfire are disproportionately affected by the ravages of armed conflicts, in need of a collective response grounded in international law, diplomatic initiatives, and the work of humanitarian organizations.<sup>13</sup>

- **International Legal Frameworks:**

The Geneva Conventions, considered the base of legal framework regarding International Humanitarian Law (IHL), are a crucial set of international treaties that provide legal and moral protection for individuals affected by armed conflicts. The conventions serve as a guide for States to mitigate the harsh realities of armed conflict and uphold human dignity, even in challenging circumstances. Acts such as violence, torture, and humiliation are prohibited, emphasizing fair treatment and the provision of necessities.<sup>14</sup>

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<sup>11</sup> United Nations (October, 2023) *¿Qué es el derecho humanitario internacional?* | UN News Human Rights <https://news.un.org/es/story/2023/10/1525092>

<sup>12</sup> United Nations (October, 2023) *¿Qué es el derecho humanitario internacional?* | UN News Human Rights <https://news.un.org/es/story/2023/10/1525092>

<sup>13</sup> United Nations. (2023, mayo 23) *International Laws Protecting Civilians in Armed Conflict Not Being Upheld, Secretary-General Warns Security Council, Urging Deadly Cycle Be Broken* <https://press.un.org/en/2023/sc15292.doc.htm>

<sup>14</sup> "The Geneva Conventions of 1949 and their Additional Protocols - ICRC", International Committee of the Red Cross, 29 de octubre de 2010, <https://www.icrc.org/en/doc/war-and-law/treaties-customary-law/geneva-conventions/overview-geneva-conventions.htm>





Considerable progress has been made in codifying and reinforcing these principles, with the International Committee of the Red Cross (ICRC) playing a pivotal role in their promotion and implementation. The ICRC engages with parties to conflicts, offering guidance on the application of IHL and advocating for compliance. Despite these advancements, challenges persist in ensuring universal adherence to norms, particularly in conflicts where non-State actors operate outside traditional State-centric frameworks.

- Security Council Resolutions:

The fact that the Security Council adopted Resolution 2417 in 2018 exemplifies the global commitment to safeguarding civilians by addressing the issue of conflict-induced hunger. This landmark resolution emphasizes the importance of unhindered humanitarian access and condemns the use of starvation as a tactic of warfare. Despite these positive steps, challenges persist in translating resolutions into tangible improvements on the ground, highlighting the limitations of the UNSC's authority in certain situations.<sup>15</sup>

- Humanitarian Principles:

Humanitarian principles, including humanity, neutrality, impartiality, and independence, guide the actions of humanitarian organizations. These principles underscore the imperative of providing aid based on need, irrespective of political considerations. Organizations such as the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) coordinate responses, working to ensure that aid reaches those most in need. Adherence to these principles is essential for gaining the trust of all parties involved, providing safer access to conflict-affected areas. However, challenges arise when these principles clash with political realities. Striking a balance between humanitarian imperatives and geopolitical considerations remains a persistent challenge.<sup>16</sup>

- International NGOs:

Non-governmental organizations (NGOs) are instrumental in the implementation of humanitarian efforts on the ground. Operating independently or in collaboration with international bodies, NGOs provide vital assistance, including medical care, food, and shelter, to those affected by armed conflicts. Their on-the-ground presence and community engagement enable them to respond rapidly to evolving needs.

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<sup>15</sup> "Adopting Resolution 2417 (2018), Security Council Strongly Condemns Starving of Civilians, Unlawfully Denying Humanitarian Access as Warfare Tactics | UN Press", UN Press | Meetings Coverage and Press Releases, 24 de mayo de 2018, <https://press.un.org/en/2018/sc13354.doc.htm>.

<sup>16</sup> "Humanitarian principles | UNHCR", UNHCR, 22 de julio de 2019, <https://emergency.unhcr.org/protection/protection-principles/humanitarian-principles>.





NGOs also serve as advocates for the protection of civilians, using their platforms to raise awareness regarding violations of international law and humanitarian principles. However, their work is not without risks, as humanitarian workers often face security threats and obstacles to access war zones, underscoring the need for enhanced protection mechanisms.<sup>17</sup>

In sum, efforts to guarantee the protection of civilians and ensure humanitarian aid supplies during armed conflicts represent a formidable international undertaking. While significant efforts have been made through legal frameworks, diplomatic initiatives, and the dedicated work of humanitarian actors, challenges persist. The complex nature of contemporary conflicts, characterized by non-State actors, asymmetrical warfare, and geopolitical rivalries, requires an adaptive and evolving approach.

### Guiding questions:

- Is there any humanitarian aid program or humanitarian aid participation that your country has demonstrated effective in recent years during an international conflict? Or has any other assistance been provided?
- What are the international conventions, agreements, treaties, forums, or platforms your delegation is part of regarding International Humanitarian Rights?
- What are the risks of providing humanitarian aid to other Member States? Is it possible that an economic disaster will develop in the State receiving aid? Provide specific that concern your Delegation, if any.
- What can your Delegation offer to contribute to the creation of suitable and reasonable solutions for civilians with no access to humanitarian aid supplies? How can the lack of access be avoided?

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<sup>17</sup> *EU Agenda - Your hub for all things EU*, <https://euagenda.eu/upload/publications/advocacy-ip-ingos-briefing-note-web.pdf>.





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