

XXXIII
TECMUN

Security Council

“Pero en vez de llorar actuamos: con piedras de las ruinas hay que forjar otra ciudad, otro país, otra vida”

—José Emilio Pacheco para el número 489 de la revista Proceso. 1986.

He caminado poco a poco por las calles heridas
no solamente hoy:
todos los días.
Veo las llagas palpitar,
cuando se desangran,
yo también lo siento.
Veo las caras de dolor,
cuando lloran,
yo también lo siento.
Pero ya no tengo miedo
—o eso intento transmitir—
ya no tengo miedo
de existir.
Y cuando te veo,
cuando los veo,
me veo.
Porque yo no soy solo yo:
yo también
soy ustedes.
También soy
el herido,
el desaparecido,
la asesinada,
el que no come,
la golpeada,
el humillado:
el mexicano.
No es una visión pesimista,
después de algunos años
aprendí que también
soy otros.

Soy:
el que se queja,
la que protesta,
el que se informa,
la que marcha por otros,
el que marcha por sí mismo,
la que lucha por sus derechos,
el que quiere cambiar su entorno:
el mexicano. La mexicana.
Yo ya no tengo miedo
de estar aquí.
Yo ya no tengo miedo
de mi país.
Y como yo no solo soy yo
junto conmigo,
otros
ya no tienen miedo,
ya quieren luchar,
ya no se van a dejar,
y juntos
vamos a construir
o t r a c i u d a d,
o t r o p a í s,
o t r a v i d a.

Daniela Rivera Guerrero

Subsecretaria de las Agencias Especializadas y Organismos Regionales

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“Mankind must put an end to war before war puts an end to mankind.” -John F. Kennedy

For 33 years now, the Instituto Tecnológico y de Estudios Superiores de Monterrey Estado de México has hosted TECMUN, the first Model of United Nations in Mexico and Latin America. Delegates, ushers, ambassadors and faculties, we are pleased to welcome all of you to our XXXIII edition, without your participation, we could not make this event possible. Similarly, the chair of the Security Council is gratified by the interest shown in this committee, we are all aware of what represents being one of the 20 members who have the primary responsibility for the maintenance of international peace and security, we hope that this experience will be enriching for all of us.

Delegates, in this occasion you will have the opportunity to debate two conflicts that have obtained international importance. On the one hand, the perennial conflict caused by the Democratic People’s Republic of Korea, a State that has put at risk not only their nation, but the entire world on breaking the international agreements on weapons of mass destruction, and, on the other hand, the discussion of the rebel attacks carried out by the Allied Democratic Forces, in other words, the threat that represents the existence of terrorist groups in Africa, the violation of human rights caused by conflicts in the region, the breach of the Humanitarian International law and the assaults perpetrated towards members of the United Nations. Both incidents have put at risk the principles of collective security, having a direct impact on the international stability.

We are fully confident in your work and your commitment to international cooperation, all of us know both issues form an important part of the international agenda. Likewise, we hope that through diplomacy and cooperation better agreements will successfully be reached.

Sandra Patricia Véliz Clara
President of the Security Council
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Outline of the Security Council

The Security Council (SC) is one of the main organs in the United Nations System, it was formed in 1945 and its first meeting took part on 17 January 1946 in London. Nowadays, it is made up of five permanent members and ten non-permanent members and its principal charge is maintaining peace and security among nations. When a situation that threatens peace is latent, this committee may set principles to reach an agreement, carry investigations and mediations, send missions, ask to the Secretary General to use his offices to reach pacific settlements to the dispute or send out ceasefire directives to prevent the progress of the conflict; when the dispute reaches hostilities, it may apply other measures like: economic sanctions, embargoes, severance of diplomatic relations, blockades or, in some cases, military actions.

Topic A

Measures to prevent the risk of a worldwide nuclear conflict due to the recent North Korean missile test launches aimed to the sea of Japan

By: Sandra Patricia Véliz Clara, Fernando Gómez Ita, Ana Laura Portocarrero, Guillermo Antonio Morales Solís and Emiliano de la Parra Mendoza.

Introduction

Disputes involving the Democratic People's Republic of Korea (DPRK) and the United States of America have taken place since the closure of World War II (WWII) having its origins with the Korean War. Due to the political differences of their governments, the United States representing the raising capitalism and North Korea being the last living nation of the communist party.

Despite the regular tension both countries have had through more than half a century, in recent years the tenseness has increased. The North Korean dictator, Kim Jong Un, made these declarations after United States' president Donald Trump expressed his concerns about the North Korean nuclear programme at the United Nations, "whatever Trump might have expected, he will face results beyond his expectation," he continued. "I will surely and definitely tame the mentally deranged US dotard with fire". In addition to this statements, North Korea's government has been testing their nuclear arsenal over the past few months and it's thinking about testing a hydrogen bomb over the Pacific Ocean, according to Ri Su Yong, North Korea's foreign minister.

The main reason of the current conflict lies in the lack diplomatic relations between the United States and North Korea, meaning that therefore, there is no embassy representing this country in Washington. Nevertheless, for years the two countries have relied on an office inside North Korea's mission to the United Nations, to handle the discussions that may appear in this nonexistent relationship. Through this office, the United States and North Korea negotiate the release of prisoners and held informal conversations involving nuclear tensions which clearly has not been enough.

Despite the debate and controversy, it is noteworthy the fact that the United Nations Security Council (UNSC), after recommending that the parties try to reach agreement by peaceful means, may opt for enforcement measures like: economic sanctions, arms embargoes, financial penalties and restrictions, travel bans, severance of diplomatic relations, blockades or even collective military action.

Also, as a founder nation of the North Atlantic Treaty Organization (NATO) could appeal to article number five of the treaty which establishes that if an armed attack towards one or more parties member of the organization occurs, it should be taken as an attack against them all, and each of them will assist the party or parties with, if necessary, armed force to

defend their ally. This article has the faculty to immerse all of the NATO member parties in a international armed conflict, meaning that the United States closest and most powerful allies, such as the United Kingdom of Great Britain and Northern Ireland, the French Republic, the Federal Republic of Germany, and Canada, which play a crucial role in global economy being some of the strongest economies in the world, would be forced to backup their ally, taking the international economic stability to an imminent decline.

However, the Security Council has the power to determine if a situation constitutes a threat to other nations, talking about issues with the international security and peace. Being North Korea the possible international threat, the Security Council unanimously adopted the Resolution 1718, in which it demanded that North Korea must return to the Nuclear Non-Proliferation Treaty, and also decided that it must cease their nuclear weapons and programs, as well as weapons of mass destruction.

The nuclear crisis

The 2006 nuclear test: On October 9, 2006 the North Korean News Agency declared the successful underground detonation of an atomic bomb, this produced concern among the international community, which almost unanimously, qualified the test as a threat to the international peace and security. “The test came just two days after the country was warned by the United Nations Security Council that the action could lead to severe consequences” (Sanger, 2006). The test was conducted in the underground nuclear experiments zone of the DPRK. The government justified its plan as a nuclear program for peaceful purposes, but by failing to declare all their investigations, the International Atomic Energy Agency was forced to make an inspection, which the Democratic People's Republic of Korea rejected. All these merited the Security Council meeting in an emergency session, which concluded in resolution 1718.

The 2009 nuclear test: After having agreed to the disqualification of all nuclear weapons facilities, North Korea conducted a second nuclear test on April 25, 2009, which was confirmed by the United States Geological Survey after detecting an earthquake of magnitude 4.7 on the scale of Richter in the same area in which the first test was carried out.

On June 12 of the same year, the Security Council reached resolution 1874, in

which the Democratic People's Republic of Korea was asked to abandon all its nuclear weapons programs and not to execute more tests of the same type. In addition to that, it reaffirms its commitment to the Nuclear Non-Proliferation Treaty and that it complies with the points previously agreed in resolution 1718. Likewise, the weapons trading with North Korea was prohibited. In response, the North Korean government promised, once again, to cease the tests in exchange for food aid provided by the United States.

In January of 2009, the National Defense Commission of North Korea issued a message in which it declared that it would continue to conduct tests with nuclear weapons and long-range missiles. A month later, on February 12, 2009, a third nuclear test was carried out, this caused an earthquake measuring 5.1 degrees on the Richter scale, also detected by the United States Geological Survey.

The Korean Central News Agency announced that this time a smaller and lighter device had been used in comparison with those that were used in the 2006 and 2009 tests, and that it also had greater explosive strength. According to the government of the DPRK, the nuclear weapons test was aimed at confronting the hostility shown by the United States against its nation, which had manifested itself with the proposal of the Security Council resolution that was punishing the DPRK by the launching of rockets and that had brought as a consequence the imposition of more sanctions. On this occasion, the Security Council accepted resolution 2094, promoted mainly by the United States and China, which condemned the failure to comply with resolutions 1718 and 1874.

January 2016 nuclear test: On January 6, 2016, a Richter 5.1 earthquake was detected again in the territory of the DPRK, to which the Korean Central News Agency declared that a successful nuclear test had been carried out using a hydrogen bomb. With this detonation, the government of North Korea sought to emphasize to the international community the strength and independence of their nation.

On this occasion, the event caused greater concern due to the detonation force with which the type of weapon used counts. President Park Geun-hye of the Republic of Korea called for sanctions against Kim Jong Un, current leader of North Korea, for attacking world peace. Meanwhile, the former Secretary General of the United Nations, Ban Ki-moon, demanded that the DPRK end its nuclear tests, since they represent a threat to other countries.

As a result, in March of 2016 the Security Council adopted a new resolution that "includes limitations on trade with the Democratic People's Republic of Korea and establishes the inspection of all air, sea or land cargoes that depart or are on route to that country to verify that there are no materials that could be used for its ballistic program." (UN News Center, 2016)

September 2016 nuclear test: Despite the sanctions previously established by the Security Council, DPRK conducted a fifth test on September 8, 2016 using nuclear weapons, which as in previous occasions, caused an earthquake of 5.3 degrees on the Richter scale. According to the Ministry of Defense of the Republic of Korea, the detonated warhead had the power of 10 kilotons. The actions of the Kim Jong-Un regime have been considered a potential threat by various international actors, among which the United Nations Security Council, the International Atomic Energy Agency, the North Atlantic Treaty Organization, the United States of America and the Russian Federation stand out.

September 2017, an unusual seismic event: The Comprehensive Nuclear-Test-Ban Treaty Organization monitoring stations detected an unusual seismic event in the DPRK on 3 September, 2017 at 03:30 (UTC). According to the CTBTO "the characterization of this event is consistent with a man-made explosion" (CTBTO, 2017), the report has raised fears among the international community that the Republic has executed another nuclear bomb test. The organization's initial reports stated that the magnitude of this event was 5.8 degrees on the Richter scale, which was revised to 6.1 degrees on the same scale, which are notably higher than previous events.

A day later, the DPRK government declared that it had detonated another hydrogen bomb, this led to the United States, the Republic of Korea and the State of Japan, among other countries to call out for an emergency meeting of the Security Council.

The role of the United Nations Security Council

Since the rise of this conflict, the United Nations Security Council (UNSC) has taken action. The first resolution it got to was implemented on October 14 2006, which made the Establishment of a Security Council Sanctions Committee (1718 Committee), and applied the first sanctions to North Korea. During this past 11 years, the UNSC has gotten to 9 resolutions where it established sanctions to the North Korean government.

One of the most belligerent resolutions the UNSC about the North Korea case, was the one introduced in March 2nd 2016, where not only severe economic sanctions were made, but also migratory restrictions were applied to those who entered and left the country and, in addition, a rigorous check to the country's imports.

The most recent resolution applied by the UNSC against North Korea was the resolution #2375 that entered into force on September 11th 2017.

“This resolution reduces about 30% of oil provided to North Korea by cutting off over 55% of refined petroleum products going to North Korea. Combined with the previous Security Council resolutions, over 90% of North Korea’s publicly reported 2016 exports of \$2.7bn are now banned (coal, textiles, iron, seafood), which does not include revenues from overseas workers.”

This resolution, by being unanimously voted in the Security Council (including China’s vote), indicates that what the North Korean dictator is carrying out is unacceptable for the United Nations. The French envoy to the UN said after the vote: “We are facing not a regional but a global threat, not a virtual but an immediate threat, not a serious but an existential threat. This threat is what unites us in the security council and, I hope, what will bring us towards unity when it comes to the vote and hopefully beyond.” (Borger, 2017)

The sanctions imposed on North Korea by the UNSC had gone from military sanctions such as the imposition of the arms embargo to all kinds of economic sanctions. These are the most relevant sanctions:

- Introduces a limit for all refined petroleum products in terms of the amount allowed (for supply, sale or transfer to the DPRK) with very specific preconditions and follow-up action required by Member States, the 1718 Committee and the Committee Secretary, established on resolution #2375 September 11th 2017.
- Bans the hiring and paying of additional DPRK laborers used to generate foreign export earnings, established on resolution #2371 August 5th 2017.
- Enforces new cargo inspection and maritime procedures, including mandatory inspection on cargo destined to and originating from the DPRK, established on resolution #2270 March 2nd 2016.

- Imposed target financial sanctions; expands the prohibited items list concerning nuclear, ballistic missile and other WMD related items, established on resolution #2094 March 7th 2013.
- Imposition of an arms embargo and travel ban on persons involved in the DPRK's nuclear programme; ban on a range of imports and exports, to prohibit the DPRK from conducting nuclear tests or launching ballistic missiles, established on resolution 1718 October 14th 2006 (first sanctions that took place in the conflict).

Diplomatic Relations

United States - North Korea.

The first diplomatic relation between the United States and North Korea was in 1882 when the Korean Peninsula was not yet divided. These relations ended in 1905 when Japan assumed direction over Korean foreign affairs. After the World War II (1945) the Korean Peninsula got divided into two zones and it was not until 1948 when each zone turned into nations, the northern one now being called Democratic People's Republic of Korea. None other relations were made between the United States and North Korea until 1994, when both countries reached an agreement on the denuclearization of the Korean Peninsula.

From 2003 to 2009, the United States has had multiple 'Six-Party Talks' with North Korea to keep the nation looking forward the denuclearization, but the DPRK has continued to violate the international law, including two nuclear tests and over 20 ballistic missile launches in 2016 alone. After this conflict, the United States nowadays has limited relations with North Korea. One example is the allowance to give humanitarian aid to North Korea's people if needed. All other economic relations are prohibited. The United States is also allowed to assist NGO's to fight against outbreaks of infectious diseases. Another example are the sanctions the U.S. as imposed against North Korea for cyber attacks, missile launches and nuclear tests (U.S. Department of State, 2016).

Japan - North Korea.

In 1905 Japan assumed control of the Korean peninsula and had a colonial rule period from 1910 to 1945. In this period Japan wanted to industrialize the Korean peninsula for it to be an economically self-sustained empire, but things didn't go as planned since a lot of Korean

workers were left behind and had none benefits from the high productivity. Since the division of Korea, the relations between these two nations have only been defined by conflicts, distrust and tension over the years.

In 2012, Japan ordered Chongryon to leave their designated headquarters located in Tokyo due to outstanding debts. Japan has also participated in the Six-Party Talks to make North Korea take denuclearization actions, and also prohibited all types of imports from North Korea. Since 2009 after seeing no progress in the matter, Japan has strengthened its sanctions by also banning all exports. Even though North Korea has had multiple rounds of dialogue with Japan to normalize relations, nothing has been achieved. (Blomquist, R. & Wertz, D., 2015)

China - North Korea.

After the Korean War, in which China supported its northern ally, China has given political and economical support to its leaders from 1948 to date, however, some stress between this relation emerged when Pyongyang tested a nuclear weapon in October 2006, and because Beijing supported the Security Council's Resolution 1718, it changed its tone from diplomacy to punishment. In September 2017 when North Korea did yet another nuclear test, China called on it by stating for it to stop taking wrong actions. Still, Beijing and Pyongyang continue to have economic ties. Other countries like Japan, South Korea and the United States have also supported North Korea with food and energy assistance, but all these donations; except for the ones coming from China, have decreased since the collapse of the Six-Party Talks in 2009.

China and North Korea have a treaty named "The 1961 Sino-North Korean Treaty of Friendship, Cooperation, and Mutual Assistance" in which China is committed to defend North Korea in case of a military conflict, at least until 2021 when the treaty will need to be renewed. Despite this, China has been persuading North Korea leaders to revoke this clause. Even though the treaty is still up, Beijing has hinted several times that if Pyongyang initiates a conflict, it will not abide by its treaty obligation. China's primary interest is the stability of the Korean Peninsula and its greatest fear is for the regime to collapse, since this will mean a dangerous military action and also because of this reason, China has been the one to less push Pyongyang to its denuclearization.

United Kingdom, France - North Korea.

As of right now, France has no political relations with North Korea, the only association between the two is the French Cooperation Office, which missions are mainly humanitarian and cultural. For France, North Korea sits in the 200 place rank as a customer, meaning that France only exports two million euros; the french exports mainly consist in food products and medical appliances. As a matter fact, France has given humanitarian support via two NGO's located in North Korea, which were established in the year 2000 (France Diplomatie, 2017).

As for the United Kingdom, it has stated that the diplomatic relations they have with North Korea will remain, since the idea of keeping open channels of communication can facilitate things and to have tough messages delivered to the regime if needed. Even though the president of the United States, Donald Trump, is encouraging countries to sever relations with North Korea, and having a resolution from the UN Security Council calling on member states to reduce the staff number of DPRK diplomatic missions; the United Kingdom will keep its bond with North Korea (Macdonald, H. , 2017).

International law

Two treaties restrict nuclear testing, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, commonly known as the Partial Test Ban Treaty (United Nations Treaty Collection, 1963) and the Comprehensive Test Ban Treaty (United Nations, 2000).

The Comprehensive Test Ban Treaty (CTBT) aims to prevent the huge damage caused by radioactivity from nuclear explosions to humans, animals and plants, counting with seismic, hydroacoustic, infrasound and radionuclide stations to ensure that no nuclear explosion goes undetected. Notwithstanding the efforts and even the specific pillars of the Comprehensive Nuclear-Test-Ban Treaty Organization, the ratifications of eight of the forty-four nuclear holder countries are still missing (China, Egypt, India, Iran, Israel, North Korea, Pakistan and the United States) and without the sign and ratification of these states the CTBT can not enter into inforce (CTBTO, 2017). However, North Korea is not a party to either of these treaties and thus does not have any direct legal obligations thereunder.

Although in 1985, North Korea entry to The Nuclear Non-Proliferation Treaty (NPT) in January of 2003, announced its immediate withdrawal from the treaty and notified it to the Security Council. In the article II of this treaty, it specifies that: “each non-nuclear-weapon State Party to the Treaty undertakes ... not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices.” Having this statement in mind, there are multiple doubts about whether North Korea could be violating the obligations of this treaty. There is not a solid determination of whether North Korea's withdrawal is valid. Taking into consideration some political views, the obligations of North Korea in the NPT are ambiguous; also both the United States of America and the Security Council have different perspectives about whether North Korea is still a party to the treaty.

North Korea withdrew from the NPT with no many complications, since the NPT's Article X(1) says that each party, exercising its sovereignty, have the right of withdrawing from the Treaty, in the (exceptional) case that the nation's supreme interests are being jeopardized by the matter of the NPT, and said party must give notice to the Security Council three months in advance of its withdrawal.

The reason of the doubts about whether if it is legal what North Korea did, taking into account that it did not give the three months notice to the Security Council of its desire to withdraw, is that an ASIL insight concluded that “noncompliance with the notice requirement does not necessarily mean that the withdrawal from the NPT is invalid. The requirement is couched in terms of a promise to give three months' notice, rather than as a condition that would have to be met in order to make the withdrawal effective” (Le Mon, 2006).

Conclusion

Since World War II the Democratic People's Republic of Korea has shown hostility regarding diplomatic relations to certain countries such as the United States, Japan lack thereof with France and the deteriorating relation with China. Since then conflictive interactions between said nations have continuously grown, especially given the fact that North Korea has launched multiple missile tests that present a threat to international law, but more importantly to the security and peace of the international community.

These are some of the most relevant factors that contribute to the conflict: first and foremost, the dysfunctional diplomatic relations with diverse States because of their communist regime; the fact that has never been a party to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Underwater (Partial Test Ban Treaty) nor the Comprehensive Test Ban Treaty (CTBT) and the withdrawal of the DPRK from the Nuclear Non-Proliferation Treaty (NPT) in 2003 which caused a fearful and defying impact on the international community.

In conclusion, the Security Council has the responsibility, to maintain international peace and security and one step to do so is to assess the massive threat proposed by the unregulated use and trial of nuclear and hydrogen missiles and discuss the necessary measures with the member states to accomplish what is stated in Article 24 of the United Nations Charter but most importantly to fulfill the reason behind the existence of the UN.

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Glossary

A

Arsenal: A factory or store for weapons, ammunitions, armament, etc

C

Closure: Act of bringing an unpleasant situation to an end so new activities can come into being

Cease: come to an end, conclude, terminate

D

Diplomatic relations: a relationship between two countries in which they send diplomats to work in each other's country

H

Hydrogen bomb: also called a thermonuclear bomb or an H-bomb, is a bomb that uses a second stage of reactions to magnify the force of an atomic explosion

N

Nuclear weapon: A type of weapon that uses the energy that generates when the nucleus of an atom is divided. This weapons are considered the most dangerous in existence

Non- Proliferation: to stop the sudden increase in number of a lot

R

Reject: to refuse to accept, use, or believe something or someone

Rigorous: not allowing for any exceptions or loosening of standards

T

Tenseness: Noun used to describe a situation with nervous circumstances

W

Warhead: the section of a missile containing the explosive, chemical, or incendiary charge

Guiding Questions

1. Has my delegation had any involvements regarding the suspension of nuclear weapon programs in the DPRK before?
2. Does my delegation maintain diplomatic relations with the DPRK?
3. Is my delegation a signatory to the Comprehensive Test Ban Treaty? What's my delegation's posture about it?
4. Is my delegation a signatory to the Nuclear Non-Proliferation Treaty? What's my delegation's posture about it?
5. What are my delegation's current relations with both major parties of this conflict?
6. What is my delegation's posture regarding the existence of mass destruction nuclear weapons designated only to protect the sovereignty of the same nation?
7. What sanctions does my delegation think appropriate to ensure that DPRK will stop violations of international law?

Topic B

Actions to investigate the Allied Democratic Forces (ADF) rebel attacks in Democratic Republic of Congo, Uganda, Rwanda and Burundi as a threat to peace in the region

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Introduction

Since 1995 there has been a rebel group named Allied Democratic Forces (ADF) located in East-Africa, specifically, in Uganda's mountainous border area. The United Nations (UN) troops allied with Congo's army soldiers (Armed Forces of the Democratic Republic of the Congo or FARDC) have been battling against this armed group for as long as 23 years (United Nations Security Council Subsidiary Organs, 2016).

Recently, authorities claimed that rebels from this militant Islamic group attacked Kangbayi prison, located in the Beni region of North Kivu Province, freeing more than 900 inmates, most of them accused of taking part in mass killings in the country. The province of North Kivu has been plagued, for more than two decades, by rebel and militia groups that have caused violence along their borders (Wembi, 2017a).

In the past months, more than four jailbreaks have occurred, adding at least 6,000 inmates leaked out. Gabriel Kambale, an inhabitant of Beni refers to the escapes, "demonstrates the irresponsibility of the Congolese government". President Joseph Kabila should have left his charge in December 2016, nevertheless, the elections were not carried out and the Democratic Vote will occur until 2018 (Wembi, 2017b). The inability to secure prisons added to political insecurity that provokes the delay of the elections generates doubt and uncertainty from an international look.

The United Nations Stabilization Mission in the Democratic Republic of Congo (MONUSCO) has called for a comprehensive and voluntary Disarmed, Demobilization and Reintegration (DDR) of Congolese armed groups. One of the most relevant resolutions, made in 2013, calls for the establishment of an Intervention Brigade within MONUSCO that will neutralise and disarm all operating armed groups (United Nations Security Council Subsidiary Organs, 2016).

Carrying with it the death of more than 5 million people, it has turned into one of the country's most violent conflicts in the decade and one of the worst actual conflicts in the world. For the past three years, they have adjudicated themselves more than five assaults in army camps with 800 deceased, including 14 Blue Berets and 50 United Nations' members injured (Parellada, 2017). According to 2013 final report, the ADF had an estimated strength of approximately 1200 to 1500 armed fighters, with a total membership, including women and children, to be between 1,600 and 2500 (United Nations Meetings Coverage and Press

Releases, 2017a). Deputy Special Representative of the Secretary-General for Operations stated that said conflict in the region continued to intensify, resulting in over 1.27 million internally displaced persons and over 25,000 refugees (United Nations Meetings Coverage and Press Releases, 2017b).

In spite of the efforts of the Congolese authorities and the international community to restore peace and stability in the Democratic Republic of the Congo (DRC), insecurity remains as one of the biggest challenges because of the presence of armed groups in the country. The participation of the ADF in attacks on the MONUSCO, including peacekeepers and personnel of the UN, involves an alarming situation in the region. This kind of threats to peace clearly entails a call for action and cooperation between governments and other forces to fight against these groups.

Historical framework of the Allied Democratic Forces

The Allied Democratic Forces (ADF) is a rebel group consisting in Ugandan opposition forces supported by Sudan's Government, which fought the Government of Uganda created in 1995 and located in the border area between Sudan and the Democratic Republic of the Congo (DRC).

According to the UN, most of its members are Islamists that want to establish Sharia law in Uganda and counts with an estimated strength of 1,200 to 1,500 armed fighters located close to the border with Uganda (United Nations Security Council Subsidiary Organs, 2016). This Ugandan Muslim rebel group has conducted limited activities in Uganda and DRC. The Allied Democratic Forces, originally a Ugandan based insurgency, carry out their operations in eastern Congo and is listed as a terrorist organization (Global Security, 2016).

On Wednesday, November 13, 1996, the ADF carried out an attack to Uganda from Zaire (now DRC), this was the first ADF beating at the hands of the UPDF. And needless to say, it impacted on the operational outlook of the rebels: they became hostile to the population and started killing civilians.

During 1998, the fight spread across the Democratic Republic of the Congo and on the borders with Rwanda, Uganda and Tanzania. Rwanda continues to deny involvement with the extremist rebel group. The ADF rebels reportedly committed atrocities against the

local civilian population, constantly using explosives to threaten them, as well as driving them from their homes and farms in the mountains, into lowland areas (Gal Security, 2016).

After the first attacks from the ADF, the Ugandan military started its counterinsurgency campaign (Operation Mountain Sweep) in 1999. It managed to reduce the rebels in number and to push them back into the Democratic Republic of the Congo. In July 1999, The Monitor newspaper estimated that 1500 of 2000 ADF rebels had been murdered, leaving only 500 in hiding in the Rwenzori mountains and later that year they allegedly asked for peace talks, claiming they were tired of fighting (Global Security, 2016).

Since October 2014, the ADF restarted their military movements which recorded 500 civilian deaths. Also, the rebel group attacked the base of the MONUSCO, where one peacekeeper from Malawi was murdered and another wounded during a heavy exchange of fire in Makembi in the east of the vast country. “The Secretary-General calls for swift action to bring the perpetrators of these attacks to justice” as a statement from his spokesman indicated (United Nations, 2015a).

It is worth mentioning that the Allied Democratic Forces is one of the most mysterious extremist groups that have ever existed because of the way they operate, this group constantly disappears to later regroup and gain strength in numbers.

The role of the Security Council

Concerning Security Council’s resolutions, their first one was on 20 May 2010, in which it stresses the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians, as well as implementing security sector reforms and of achieving as appropriate the disarmament, demobilization reintegration (DDR) of Congolese armed groups, and the disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) of foreign armed groups for the long-term stabilization of the DRC. Since then, there have been 13 resolutions related to the Democratic Republic of the Congo conflict.

The United Nations Security Council, being concerned by how ADF’s acts constitute a threat to international peace and security, established the resolution S/RES/1533, which addresses the presence of armed groups and militias in the Democratic Republic of Congo,

including the Allied Democratic Forces. The most important decisions taken by the UNSC are:

1. Demands that all States to take the measures to prevent the supply of weapons or any related assistance to armed groups in the DRC;
3. Requests the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO), to keep using its capabilities to inspect the cargo of aircrafts, and any other transport vehicle entering the region;
7. Urges to all States, more importantly to those in the region, to try to make these illegal activities to stop, including judicial means if it's possible, and if the situation demands it, to report to the Council;
8. To establish a Committee of the Security Council to undertake tasks, such as inform the Council of the actions taken by the States regarding the effectiveness of said actions, to inform, as well, of the violations of the measures taken in paragraph 20 of resolution 1493(2003), and to present reports regularly to the Council about the States' work (United Nations Security Council, 2004).

Despite these rulings, the Forces still represent a potential threat to safety and stability in the region.

The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)

The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) replaced the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) on July 2010, the name change was done in accordance with Security Council resolution 1925 in order to reflect a new phase reached in the country (MONUSCO, n.d.a).

To date, countries such as Pakistan, India, Egypt and Senegal are contributing with troops and police for the mission gathering around as much as 18,316 personnel in the area (United Nations Peacekeeping, 2010). The Security Council stated that "future reconfigurations of MONUSCO would be determined as the situation evolved on the ground" (United Nations Meetings Coverage and Press Releases, 2010).

The ADF has participated in several attacks against MONUSCO peacekeepers, conducting at least two of them. The first, on 14 July 2013, was an attack on a MONUSCO patrol on the road between Mbau and Kamango. The second one occurred on March 3, 2014, a MONUSCO vehicle was attacked with grenades ten kilometers from the Mavivi airport in Beni, resulting in injuries to five peacekeepers.

The resolution 2098, carried out in 2013, called for the establishment of an United Nations Force Intervention Brigade (FIB) within MONUSCO that will neutralize and disarm operating armed groups (MONUSCO, n.d.b). It can be stated that in spite of the efforts of the Congolese authorities and the International Community to restore peace and stability in the DR Congo, insecurity remains as one of the biggest challenges, considering the presence of armed groups in the country.

On March 31, 2017, the United Nations Security Council renewed the mandate of MONUSCO, extending it until 31 March 2018 while reducing the operation's troop ceiling by 3,600 military personnel. At that session, Congo's representative, Ignace Gata Mavita, expressed her appreciation for the mandate renewal but regretted that the resolution did not take into account the disarmament, demobilization and reintegration, in conjunction with justice and security sector reform (United Nations Meetings Coverage and Press Releases, 2017c).

International Humanitarian Law

The International Humanitarian Law (IHL) stands for the principles and rules that regulate the means and methods of warfare, as well as the humanitarian protection of civilians, sick and wounded combatants, and prisoners of war. The United Nations Security Council (UNSC) has become increasingly involved in protecting civilians in armed conflicts, promoting human rights and protecting children in wars (United Nations, n.d.).

The Allied Democratic Forces (ADF) have been violating human rights and, also, the International Humanitarian Law; this was confirmed by an ADF recruiter captured by Ugandan authorities who affirmed that children had been recruited as soldiers; meanwhile the Uganda People's Defense Force (UPDF) rescued more than 30 children from a training camp (United Nations Meetings Coverage and Press Releases, 2014).

As a matter of fact, the Global Horizontal Note, a mechanism to monitor and report grave violations against children in state of war, reported to the UNSC Working Group on Children and Armed Conflicts (CAAC) that the ADF was responsible for 14 of the 18 child casualties, not to mention the 23 murders during an attack on the Musuku village.

On the other hand, other violations have also been committed by the ADF by murdering and maiming hundreds of people, including children and women, who have also been victims of sexual violence (United Nations Security Council Subsidiary Organs, 2016).

These concrete actions, that undermine children's rights and create vulnerabilities among children, represent serious violations to the international law, to the humanitarian law and to the following resolutions of the Security Council: the 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, and 1882 (2009) of 4 August 2009 (Security Council Report, 2011).

The Security Council shall impose the international law and justice and call upon the Charter of the United Nations on articles 33 and 13, to help in the settlement of international disputes by peaceful means and to encourage the progressive development of international law and its codification. Also, to call upon the International Criminal Court (ICC) which has the jurisdiction to prosecute individuals who commit crimes against humanity (United Nations, n.d.).

In addition, the actions of this terrorist group involve violations of other international treaties focused on the IHL, such as the Geneva Conventions of 1949 and their Additional Protocols. In the children subject, the Geneva Convention IV relative to the Protection of Civilian Persons in Time of War establishes in Articles 24, 38 and 89 full protection of children under fifteen years; also, article 77 of the additional Protocol I states that “children shall be the object of special respect” (ICRC, n.d.).

Furthermore, the African Charter on the Rights and Welfare of the Child stipulates that States “shall undertake to respect and ensure respect for rules of International Humanitarian Law applicable in armed conflicts which affect the child”, also “shall, in accordance with their obligations under International Humanitarian Law, protect the civilian population in armed conflicts and shall take all feasible measures to ensure the protection

and care of children who are affected by armed conflicts” (African Commission on Human and Peoples' Rights, n.d.a).

Uganda, Rwanda and Burundi are States that have already signed the African Charter on the Rights and Welfare of the Child, unfortunately, the Democratic Republic of the Congo is one of the four African States that didn't yet signed or ratified (African Commission on Human and Peoples' Rights, n.d.b).

Conclusion

The rebel group continues to be one of the most mysterious working groups in existence. Given their resurfacing, the actions to take regarding recent attacks are of utmost importance to the United Nations Security Council.

One of the first attempts to stop to the Allied Democratic Forces was through the establishment of a peacekeeping mission to stabilize the DRC, the United Nations Stabilization Mission in the Democratic Republic of Congo, better known as MONUSCO. But there have been recurring attacks to various prisons in the area which have caused 6,000 inmates to escape and the lack of legal action provoked mistrust in the Congolese government.

Nevertheless, the previously mentioned armed group did not only pose a threat to Congolese population, but to people from Uganda, Tanzania and Rwanda. Therefore, the international community is in grave danger regarding the strength and possible future attacks. In conclusion, the increase of weapons, armed forces and people joining groups such as the ADF, calls for deep research into the actions of terrorist circles to prevent more attacks and the influence these have on worldwide population which is a responsibility of the United Nations Security Council.

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Glossary

A

Adjudicate: To act as a judge of an argument

Allegedly: To state that something bad is a fact without giving proof

Atrocity: An extremely cruel act, or the committing of such acts

D

Disarmament: The reduction or withdrawal of military forces and weapons

F

Feasible: Possible and practical to do easily or conveniently

H

Hostile: To show strong dislike; to be connected to an enemy or to an act of war

I

Insurgency: The violent struggle of a group of people who refuse to accept their government's power

M

Maim: Wound or injure so that the part of the body is permanently damaged

Militias: A military force that is raised from the civil population to supplement a regular army in an emergency

Mistrust: Have no confidence in

P

Plague: To cause someone or something difficulty or suffering; repeatedly or continually

Peacekeeper: a special soldier whose only job is to stop violence in a troubled area

R

Ratify: Sign or give formal consent to making it officially valid

Resurface: Arise or become evident again

Recruit: Enlist (someone) in the armed forces

Ruling: An authoritative decision or pronouncement, especially one made by a judge

U

Undermine: Lessen the effectiveness, power or ability of, specially gradually or insidiously

Utmost: Most extreme; greatest

W

Warfare: Engagement in or the activities involved in war or conflict

Guiding Questions

1. According to my delegation, what actions should the Group of Experts take and what should it provide to the Council?
2. What does my delegation think appropriate to ensure that armed groups in the DRC stop receiving support?
3. What commitments does my delegation consider the government of the DRC should have to end violations by armed groups?
4. What actions had the Security Council taken that involves ADF in their resolutions and which ones can be supported and improved in an agreement?
5. What can the International Community do for preventing insecurity and treaty violations by the Allied Democratic Forces to the current mission MONUSCO?
6. Has my delegation suffered any attacks from the ADF?