

*The American University in Dubai's Model United Nations
presents
the
General Assembly's*



SIXTH COMMITTEE (C6)

Background Guide

Welcome Note & Mandate of the Committee

Dear Distinguished Delegates,

It is with utmost pleasure and honor that we, the Executive Board of the General Assembly 6 (GA6), welcome you all to American University in Dubai's Model United Nations Conference. We are eagerly anticipating our interaction during the committee, as well as the discussion and debate on the issues we'll be tackling.

The GA6, previously known as the Legal Committee, according to the UN Charter, comprises of all member and observer states of the United Nations and have the equal right to vote. The developed documents within the GA6 require a simple majority (51%) to pass, however, according to the Article 21 of the UN Charter, the committee has its own set of rules of procedure, meets in an Ad Hoc structured debate, and adopts draft resolutions without a vote. Although the committee is not able to authorize armed interventions on impose sanctions, it deals with matters such as world peace, but mainly deals with legal questions in the General Assembly with regards to the UN Charter.

The primary goal of the GA6 is to ensure the formulation and application of International Law. Throughout its near six decades of existence, the committed has played a major role in understanding the international laws and concerns of nations/communities, human rights, and has been an advocate for fundamental freedom. The Sixth Committee's second session was held in the year 1948, in order to empower the GA to empower the GA to initiate and make changes to promote international peace, co-operation, and develop progressive laws. Even though its work is limited to making non-binding recommendations, the Committee has played a significant role in influencing the world understanding of international law and code.

As your committee's chairs, we are looking forward to meeting you and hearing your ideas for solving the issues at hand. The United Nations depends on the cooperation and goodwill of its 193 Member States because each state has its own unique interests and concerns, it is challenging to write, negotiate, and pass resolutions. Every stage of the process demands creativity and diplomacy. We will work to ensure that the committee is functioning smoothly. We will do our best to help you understand parliamentary procedures and to ensure that the views of all delegates are heard and respected. We expect each delegate to come to the conference with an understanding of his/her country's foreign policy/positions and a willingness to forge agreements. The best way to prepare and present your country well, is to refer to, inter Alia, websites such as your country's Permanent Mission to the United Nations and find relevant documents regarding the topics being discussed and it is highly recommended that you print all the documents, your position paper, the topic and background guides for your committee, and any additional research regarding your country compiled in a binder or folder to give you easy access to these resources at the conference.

With that being said, we are as excited as you are for the conference and cannot wait to convene in committee with all of you and we look forward to meeting you all and hearing your voice for change in the sessions. If you need any help regarding the topic and conference in general, please do not hesitate to contact us at any time. Best of Luck!

Regards,
Chairs of C6



Maha Siddiqui
Chair
mahashajee2011@gmail.com



Hala Nasar
Co-chair
halanassar625@gmail.com

Topic 1: Allowing ROC (Taiwan) to become a member-state of the UN and its organs

Mandate of the Committee

The Sixth Committee of the United Nations General Assembly is primarily concerned with the formulation and application of international law. Throughout its near six decades of existence, the Sixth Committee has made many important contributions to the international community's understanding of international law, the necessity of human rights and the promotion of fundamental freedoms. Since many of the world's most pressing issues are either legal in nature or have implication for international law, the Sixth Committee is a UN body that most readably debates pressing global concerns (Aeschlimann & Regan, 2017). The Sixth Committee of the United Nations General Assembly called its first session to order in 1948. The mandate of the Committee is anchored in the UN Charter under Chapter IV, Article 13, Section 1, Subsection A, which empowers the General Assembly to "initiate and make recommendations for the purpose of promoting international co-operation and encouraging the progressive development of international law and its codification." From its inception, the Sixth Committee has served to develop international law with a special emphasis on the protection of basic human rights and freedoms. Even though its work is limited to making non-binding recommendations, the Committee has played a significant role in influencing the world understanding of international law and code.

Beginning in 1958, the committee held the Conference on the Law of the Sea, adopting several conventions regarding the protection of marine life and the marine environment and the underwater testing of nuclear weapons (Taiwan Affairs Office and the Information Office of the State Council, 2000) . A series of other important legal agreement following, including the Vienna Convention on Diplomatic Relations in 1961, the Legal Committee the Vienna Convention on the Law of Treaties in 1969, the Convention on the Safety of United Nations and Associated Personnel in 1994 and the International Convention for the Suppression of the Financing of Terrorism in 1999. One of the highlights of the Sixth Committee's work came with establishment of the Rome Statue of the International Criminal Court in 1998, which set up the International Criminal Court in Hague for bringing to justice those who committed crimes against humanity. In the wake of the Second World War, the founders of the UN Charter, in an effort spare future generation from the negative effects of war and conflict, robustly included a general prohibition on the use of force under Article 2 of the Charter. However, the UN Charter continued to recognize the realities of global conflicts and threat perceptions. Hence, Article 51 of the Charter served as the singular exception to the application of force, namely in scenarios of self-defense.

History of China and Taiwan



The first known settlers in Taiwan are Austronesian tribal people thought to have come from modern day southern China. The island first appears in Chinese records in AD239, when China sent an expeditionary force to explore - a fact Beijing uses to back its territorial claim. After a brief spell as a Dutch colony (1624-1661) Taiwan was administered by China's Qing dynasty from 1683 to 1895 (Jeremy, 2007)

Starting at the beginning of the 17th Century, significant numbers of migrants started arriving from China, often fleeing turmoil or hardship. Most were Hoklo Chinese from Fujian (Fukien) province or Hakka Chinese, largely from Guangdong. The descendants of these two migrations now make up by far the largest population group. In 1895, following Japan's victory in the First Sino-Japanese War, the Qing government had to cede Taiwan to Japan. After World War Two, the Republic of China - one of the victors - began ruling Taiwan with the consent of its allies the US and UK, after Japan surrendered and relinquished control of territory it had taken from China (Chang, 1989).



However, in the next few years, a civil war broke out in China and the leader at the time Chiang Kai-shek's troops were beaten back by the Communist armies under Mao Zedong. Chiang and the remnants of his Kuomintang (KMT) government fled to Taiwan in 1949. This group, referred to as Mainland Chinese and then making up 1.5m people, dominated Taiwan's politics for many years, even though they only account for 14% of the population (Wachman, 2007). Having inherited an effective dictatorship, facing resistance from local people resentful of authoritarian rule, and under pressure from a growing democracy movement, Chiang's son, Chiang Ching-kuo, began allowing a process of democratization, which eventually led to the 2000 election of the island's first non-KMT president, Chen Shui-bian (Taiwan Affairs Office and the Information Office of the State Council, 2007).

Beijing and Taipei sharply disagree on the island's status. The PRC asserts that there is only "one China" and that Taiwan is an inalienable part of it. Beijing says Taiwan is bound by an understanding reached in 1992 between representatives of the Chinese Communist Party (CCP) and the Kuomintang (KMT) political party then ruling Taiwan. Referred to as the 1992 Consensus, it states that there is only "one China" but allows for differing interpretations, by which both Beijing and Taipei agree that Taiwan belongs to China, while the two still disagree on which entity is China's legitimate governing body. The tacit agreement underlying the 1992 Consensus is that Taiwan will not seek independence. Taiwan's KMT still accepts the consensus as a starting point for future negotiations with the CCP. However, the island's current president, Tsai Ing-wen, leader of the Democratic Progressive Party (DPP), has rejected the consensus. In a January 2019 speech, she declared the "one country, two systems" framework advanced by Beijing unacceptable. Her rejection of the consensus, along with that of other leading voices in the governing DPP, leaves open the possibility of future Taiwanese independence (Jacobs, 2011). In 1979, the United States established

formal diplomatic relations with Beijing by concluding a joint communiqué stating that “the United States of America acknowledges the Chinese position that there is, but one China and Taiwan is part of China.” At that time, U.S. President Jimmy Carter terminated diplomatic relations with the ROC government in Taiwan. But months after, the U.S. Congress passed the Taiwan Relations Act (TRA), affirming important unofficial ties with the island. The legislation allows for arms sales to Taiwan for self-defense and does not rule out the possibility of the United States defending Taiwan from Chinese attack—a policy known as strategic ambiguity (He, 2014).

Ethnic Han Chinese settlers, primarily merchants, began to arrive in Taiwan in the seventeenth century. The island, now inhabited by a Han Chinese majority, many of whom identify as distinctly Taiwanese, is also home to indigenous peoples who account for around 2 percent of the population. “Taiwan has a messy history of invasion, occupation, colonization, refuge, and intermarriage,” writes University of Sydney Professor Salvatore Babones. Annexed by the Qing dynasty in the late 1600s, Taiwan was later ceded to Japan in 1895 by imperial China in accordance with a treaty that concluded the Sino-Japanese War (Central News Agency, 2010). Japan governed it as a colony until 1945, when Japanese forces on the island were required to surrender to Chiang Kai-shek’s ROC military forces. The ROC, which had governed China for decades, fled to Taiwan after losing the civil war to the Communists in 1949. But Chiang and his political party, the KMT, insisted his government continued to represent all Chinese people on both the island and the mainland. Washington and most Western powers affirmed the ROC’s stance by long refusing to recognize the Communist government in Beijing, a position most countries later reversed. Washington’s position began to shift under the Nixon administration. Back-channel diplomacy resulted in Washington’s formal recognition of the PRC in 1979. The ROC lost its seat representing China at the United Nations in 1971 to Beijing (Tilly, 2005).

The KMT governed the island from 1949 to 1987 under martial law. Political dissent was harshly repressed and Taiwanese who had long inhabited the island before 1945 faced discrimination. Taiwan held its first free legislative elections in 1992 and presidential elections in 1996 (Ted, 2002). The KMT and coalition partners have historically viewed Taiwan as a part of “one China” and do not support the island’s independence. After 2000, the KMT often found itself in opposition to parties representing Taiwanese who had been on the island before 1949 and their descendants. Although riven with its own factionalism, the KMT retains deep ties to the island’s business leaders and consistently calls for closer ties with Beijing. The party lost its majority in Taiwan’s legislative body for the first time in the 2016 elections. The KMT’s chief rival, the DPP, was founded in 1986 and became legal in 1989 after a ban on opposition parties was dropped. The DPP has traditionally called for a *de jure* independent Taiwan as a separate political entity from China and has become an outlet for the expression of Taiwanese identity (Vickers, 2007). Chen Shui-bian was the first non-KMT politician to serve as president (2000–2008) and pushed for Taiwanese

sovereignty. Shortly after his term, Chen was convicted and imprisoned on charges of embezzlement and accepting bribes. (He was later sentenced to four months in prison for leaking classified information.) Beijing closely observes the island's elections.

It has favored a steady deepening of ties with Taiwan, forging economic linkages that could ultimately become too costly for the island to sever, thus nudging it closer to unification. However, since the PRC's own leadership transition in 2012, President Xi Jinping has embraced a tougher, nationalistic stance toward all of the special regions it claims, including Hong Kong, Tibet, Xinjiang, and Taiwan. Taiwan's election of Tsai in 2016 brought even closer scrutiny of cross-strait ties from Beijing, and Xi has shown a willingness to use pressure to try to limit Tsai's ability to reset the island's relations with the mainland (Mitter, 2017). For example, Beijing suspended a cross-strait communication mechanism with the main Taiwan liaison office in June 2016 because of Tsai's reluctance to adhere to the 1992 Consensus. Beijing has also restricted tourism to Taiwan, excluded the island from international entities addressing civil aviation and global health issues, and pressured global corporations to list Taiwan as a Chinese province. Meanwhile, Taiwanese leaders consider formal diplomatic relations with major powers and international organizations essential if Taiwan is to survive separately from the Communist mainland. However, only fifteen states maintain official diplomatic ties with the island (Cooney & Sato, 2009).

Reason why Taiwan isn't a member state of the United Nations

The United Nations is an international organization constituted of sovereign states; China lays claim to Taiwan as a part of its territory, on the other hand, China is persistent on prohibiting the concession of Taiwan as a sovereign state and its integration in the UN system. To be considered a member state of the UN, a country has to establish sovereignty; This is highly sensitive since the question of Taiwan's UN membership and other forms of engagements and contributions has been an ongoing issue, and both parties are very aware of it, with China holding its ground that Taiwan is a part of it and thus, should not be represented on its own in an exceptionally influential and esteemed state-based international organization. It is also essential to note that China has the superiority in that it is a member of the UN and is one of the five members with veto powers and a solid seat in the Security Council. Although Taiwan's voice isn't heard in the UN, some member states speak up for it. In fact, 17 of these countries have official diplomatic relations with Taipei, the capital. Including Paraguay, Marshall Islands and Nicaragua. With this being said, China declines the prospect of having any formal relations with countries that acknowledge Taiwan. Moreover, China has successfully convinced some countries that had diplomatic ties with Taiwan to switch them to Beijing, and to stop recognizing Taiwan as an independent entity.

Since China has a strong impact and a permanent presence in the UN, the government of Taiwan (ROC), continues to be rejected from the membership of the United Nations because of the strong disapproval from the People's Republic of China (PRC). Furthermore, the PRC successfully restricted the UN from accepting any philanthropic financial aid from Taiwan, arguing that such association with Taiwan in UN-related activities would grant de facto recognition to the ROC. Article 4 of the UN Charter specifically proposes that any decision concerning the approval of new members in the UN by the General Assembly should happen under the recommendation of the Security Council. This means that an applicant such as the ROC can't be admitted as a member state into the United Nations unless it has been approved by the SC, so any attempt at carrying out Taiwan's membership in the UN would prompt hostility and pressure from the PRC. Despite the fact that the autonomy in Taiwan has created a movement that could easily trigger an act of aggression by China, it is expected that this protestation by the people of Taiwan for the advancement of Taiwan's status among the UN and other organizations will undoubtedly continue unless the ongoing issue of Taiwan's sovereignty is eventually settled by both parties involved in the Taiwan Strait.

Reason why Taiwan should be a member state of the United Nations

"Why should Taiwan be excluded?" a question that has been raised for decades, asked by the foreign minister Joseph Wu on behalf of the people of Taiwan, still left unanswered. For starters, Taiwan has its own government that represents it; the Republic of China (ROC), a democratic, constitutional government located in Taipei. Additionally, Taiwan also has its own currency, military and independent passport that is accepted in various countries, but not valid in the UN. Although Taiwan was under the ruthless martial law in 1987, it is now known to be the superior country in Asia in terms of human rights — quite the contrast to China. Moreover, in 2009 Taiwan endorsed and implemented the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as domestic law. The elimination of the Republic of China from the UN and its related organizations has produced a large and significant obstacle for both the people and the government of the ROC in their pursuit of regular engagement in international events and establishments. Therefore, a membership in the UN will not only allow Taiwan to form a network of formal relations with other important countries, but it will also have a very beneficial effect by raising the multinational status of Taiwan and its government.

If the core principles of the United Nations are democracy, freedom, and eradication of poverty and disease, then it's a reason for Taiwan to be a member state in the UN considering the fact that Taiwan ranks among the top 20 countries with reference to GDP, investment and trade, as well as its compliance in allowing peaceful interactions of power between parties since the early 2000s, and its profound respect for human rights. Foreign minister Joseph Wu has also mentioned that Taiwan is working towards

upgrading its relations and ties with “like-minded countries” for the betterment of Taiwan and its people. These countries include Japan, Australia, Canada, United States, and several other European countries, which have also spoken in support of Taiwan and its government lately in UN meetings. The rejection that the Republic of China faced by the UN shows inconsistency with the universal principle of representation, since Taiwan’s government continues to promote the importance of a peace-loving democracy. Hence, its inclusion in the UN would have a positive impact within the organization and its organs.

Timeline of Events, Denton (2015)

1500s

It is commonly believed that European sailors passing Taiwan record the island's name as Ilha Formosa, or beautiful island.

Taiwan continues to experience visits by small numbers of Chinese merchants, fishermen and pirates.

1624

The Dutch East India Company establishes a base in southwestern Taiwan, initiating a transformation in aboriginal grain production practices and employing Chinese laborers to work on its rice and sugar plantations.

1626

Spanish adventurers establish bases in northern Taiwan but are ousted by the Dutch in 1642.

1662

Fleeing the Manchurian conquest of the Ming dynasty (1368-1644), Ming loyalists under Zheng Cheng-gong, or Koxinga, drive out the Dutch from Taiwan and establish authority over the island.

1683

Qing dynasty (1644-1912) forces take control of Taiwan's western and northern coastal areas.

1885

Taiwan is declared a province of the Qing Empire.

1895

Following defeat in the First Sino-Japanese War (1894-1895), the Qing government signs the Treaty of Shimonoseki, by which it cedes sovereignty over Taiwan to Japan, which rules the island until 1945.

1911~1912

Chinese revolutionaries overthrow the Qing Empire and establish the ROC.

1943

During World War II, ROC leader Chiang Kai-shek meets with U.S. President Franklin Roosevelt and British Prime Minister Winston Churchill in Cairo. After the conclusion of the conference, the Cairo Declaration is released, stating that “...Formosa [Taiwan], and the Pescadores [the Penghu Islands], shall be restored to the Republic of China...”

1945

The ROC, U.K. and U.S. jointly issue the Potsdam Declaration, calling for Japan’s unconditional surrender and the carrying out of the Cairo Declaration.

After World War II, ROC government representatives accept the surrender of Japanese forces in Taiwan. The Chief Executive of Taiwan Province Chen Yi sends a memorandum to the Japanese governor-general of Taiwan, stating that “As the Chief Executive of Taiwan Province of the ROC, ...I restore all legal territory, people, administration, political, economic, and cultural facilities and assets of Taiwan [including the Penghu Islands].”

1947

The ROC Constitution is promulgated Jan. 1 and is scheduled to take effect Dec. 25. In March and the following months, ROC troops dispatched from China suppress a large-scale uprising of Taiwan residents sparked by the February 28 Incident.

1948

As full-scale civil war rages in China between the Kuomintang-led ROC government and CCP, the Temporary Provisions Effective During the Period of National Mobilization for Suppression of the Communist Rebellion are enacted, overriding the ROC Constitution and greatly expanding presidential powers.

1949

The ROC government relocates to Taiwan, followed by 1.2 million people from China.

Oct. 25 sees the Battle of Kuningtou on Kinmen, in which the ROC armed forces defeat the communists on the northwestern coast of the island.

Martial law is declared in Taiwan and continues to be in force until 1987.

1952

The Treaty of Peace is signed between the ROC and Japan at Taipei Guest House, formally ending the state of war between the two parties. It is recognized that under Article 2 of the 1951 San Francisco Treaty, Japan has renounced all rights, titles and claims to Formosa [Taiwan] and the Pescadores [the Penghu Islands] as well as the Spratly Islands and the Paracel Islands. All treaties, conventions and agreements concluded before Dec. 9, 1941, between China and Japan have become null and void as a consequence of the war.

1954

The ROC-U.S. Mutual Defense Treaty is signed in Washington.

1958

Aug. 23 sees the start of an artillery duel between the ROC garrison on Kinmen and Chinese forces that lasts more than 40 days.

1966

The first Export Processing Zone is established in Kaohsiung City, southern Taiwan. The creation of such zones propels Taiwan toward becoming a developed nation, setting a paradigm for other countries to follow.

1968

The nine-year compulsory education system is launched at a time when fewer than nine countries globally have compulsory education systems of this length or more.

1971

The ROC withdraws from the U.N.

1979

Democracy activists demonstrating in Kaohsiung are arrested and imprisoned following what is known as the Kaohsiung Incident, which eventually leads to the formation and development of the Democratic Progressive Party in 1986.

1987

Martial law, in effect since 1949, ends and bans on the formation of new political parties and news publications are lifted. Democratization goes into high gear.

Cross-strait people-to-people exchanges begin.

1991

The Temporary Provisions Effective During the Period of National Mobilization for Suppression of the Communist Rebellion are abolished. From this year through 2005, the ROC Constitution undergoes seven rounds of revision. Taiwan becomes a member of the Asia-Pacific Economic Cooperation.

1992

Government-authorized representatives from across the Taiwan Strait meet for the first time in Hong Kong, and via subsequent communication and negotiations arrive at various joint acknowledgements and understandings.

1995

The National Health Insurance program begins.

1996

The ROC holds its first-ever direct presidential election, with the KMT's Lee Teng-hui and running mate Lien Chan garnering 54 percent of the vote.

2000

Chen Shui-bian and Annette Hsiu-lien Lu of the DPP are elected president and vice president, ending the KMT's more than 50-year rule and marking the first transfer of ROC government executive power in Taiwan between political parties.

2002

Taiwan becomes a member of the World Trade Organization.

2003

The Legislative Yuan passes the Referendum Act, providing a legal basis for citizens to vote directly on issues of local or national importance.

2004

The first national referendum is held in conjunction with the third direct presidential election, in which Chen and Lu are re-elected with a slight majority.

2005

The Legislative Yuan passes a constitutional amendment package, halving the number of its seats from 225 to 113 and introducing the single-district, two-votes system for legislative elections.

2008

Ma Ying-jeou and Vincent C. Siew of the KMT are elected president and vice president of the ROC, garnering 58 percent of the vote and marking the second transfer of ROC government executive power in Taiwan between political parties.

2009

Taiwan attends the World Health Assembly as an observer, marking its first participation in an activity of the U.N. since its withdrawal in 1971.

President Ma signs the instruments of ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

2010

The ROC inks the Cross-Straits Economic Cooperation Framework Agreement (ECFA) with China to institutionalize economic and trade relations across the Taiwan Strait.

2011

The centennial of the ROC is celebrated in Taiwan.

2012

Incumbent Ma Ying-jeou and his new running mate Wu Den-yih, representing the KMT, win the election for president and vice president with 51.6 percent of the vote.

2013

Taiwan signs an agreement on economic cooperation with New Zealand and an agreement on economic partnership with Singapore.

Taiwan attends the 38th session of the International Civil Aviation Organization Assembly as the guest of the council's president.

2014

Mainland Affairs Council Minister Wang Yu-chi holds a formal meeting with China's Taiwan Affairs Office director Zhang Zhijun in Nanjing in February, marking the first official contact between the heads of the respective government agencies responsible for cross-strait relations.

A record 11,130 candidates are elected nationwide for nine categories of local government representatives in what are known as the "nine-in-one" local elections.

2015

President Ma and Chinese leader Xi Jinping meet in Singapore in November, marking the first top-level meeting between the two sides in 66 years.

Taiwan signs the WTO's Trade Facilitation Agreement and submits its instrument of acceptance to the organization.

2016

DPP Chairperson Tsai Ing-wen and academic Chen Chien-jen are elected president and vice president of the ROC. The DPP gains its first legislative majority after securing 68 of the 113 seats.

2017

The Constitutional Court rules that provisions of the Civil Code not allowing same-sex marriage violate the Constitution, placing Taiwan on track to become the first country in Asia to legalize same-sex unions.

The Indigenous Languages Development Act is enacted to preserve and promote the native tongues of Taiwan's 16 officially recognized indigenous tribes.

Taiwan hosts the Taipei 2017 Summer Universiade.

Formosat-5, the nation's first homegrown ultra-high resolution Earth observation satellite, is launched.

2018

The Taiwan Travel Act is passed by the U.S. Congress and signed into law by U.S. President Donald J. Trump.

Questions a resolution must answer

1. What policies should be put in place to encourage relations between the Peoples Republic of China and the Republic of China (Taiwan)?
2. How would Chinese aid distribution be affected if the "One China Policy" is possibly dissolved?
3. How would the recognition of the Republic of China affect the order of the international system currently in place?

Starter Sources

- Taiwan Affairs Office and the Information Office of the State Council, The One-China Principle and the Taiwan Issue (2000) available from http://www.gov.cn/english/official/2005-07/27/content_17613.htm, foreword.

Topic 2: Reforms to the Security Council

The Security Council's fundamental responsibility is to maintain international peace and security. There are 15 members, and each member has one vote. Five of these countries have the special power of Veto. Additionally, under the United Nations Charter, all Member States are obligated to comply with Council decisions (Annan, 2005).

The five permanent members of the Security Council include The Republic of China, the Russian Federation, the United Kingdom of Britain, the United States of America, and France (Edward, 2008). The General Assembly is responsible for electing ten other Members of the United Nations to be non-permanent members of the SC to maintain international peace, harmony, and safety.

Non-permanent members of the SC get elected for two years to give them the ability to fulfill their roles as members of the Council. The rules concerning the first election of non-permanent members include: two of the four members that have been added should be chosen for a term of one year, and a member who has initially retired shall not be qualified for re-election immediately. Moreover, each member of the Security Council shall have one representative. (Leopold, 2005).

The importance of the Security Council is extensive in the way it takes charge of determining whether there is a threat to peace or disruption of security. In unfortunate circumstances, the Security Council is quick to call upon the parties involved to settle any disputes by peaceful means and recommend methods of adjustment. Furthermore, to resolve international conflicts, the Security Council can impose sanctions to hold countries accountable for any problems that can have a staggering impact globally or within the country.

Powers of The Security Council

Under the United Nations Charter, the roles and endowments of the Security Council are (UNFoundation, 2012):

- Maintaining global peace and safety per the United Nations' policies and objectives.
- Investigating any concerning situation or dispute that has the potential to lead to international conflict.
- Recommending methods of adjustment to policies and laws without having bad relations with other parties involved.
- Formulating ideas for the establishment of a system to safely work with standard military equipment.
- Determining the prospect of any threats or acts of aggression to peace and recommending the actions to be taken immediately.

- Calling on members to enforce economic sanctions and other measures that do not involve violence to eliminate.
- Recommending the admission of new members when nearing the end of the current members' terms.
- Exercising trusteeship Council roles in areas that require it.
- Recommending the Secretary-General's appointment to the General Assembly to elect the judges for the International Court of Justice.

The issue of reform in the United National Security Council is nothing unheard of since it has been a controversial attempt to amend and adapt to the ever-changing political environment. Countries have timelessly debated the need for expansion in the Security Council and redistribution of the veto power (United Nations, 2014). Any changes to be brought into force will mean bringing amendments to the charter. According to Article 108 of the Charter: "Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations, including all the permanent members of the Security Council." ("Chapter XVIII", n.d.)

With this step of reform, the advocates hope that deficit of regional representation and hegemony of northern industrialized nations in the most powerful UN organ occur (Wezeman & Wezeman, 2015).

Several reasons attribute to the rise of this issue in the Security Council. These are:

- Categories of membership:
 - New permanent member proposals,
 - The Veto Power
 - Regional Representation

Many reasons can be enlisted which support the initiative to reform the UNSC: Lack of democracy, insufficient regional representation, lack of legitimacy in ensuring global governance, and the inadequate representation of the international community. According to Tosin (2016), The imbalance between the number of members in the GA and the UNSC made the UNSC very exclusive, forming a defect in Council. The Council's size does not reflect the current number of member states of the UN and its growing membership, which contradicts Article 2 of the UN Charter, which states, "principle of the sovereign equality of all Members" (Fasulo, 2009). This is why many countries advocate for an increase in the number of the Security Council permanent and non-permanent members. Furthermore, changes to the Security Council's membership requires a two-thirds vote from the General Assembly. This is inclusive of all the permanent members of the United Nations. ("Case for Reforming...", 2018).

Overview

According to Goldman (2013), Security Council's membership and working methods haven't been amended since 1945, however, since the GA's topic of discussion has been the reforms to the SC since 1993, numerous parties have come forward with viable options and many have proposed their candidacy as permanent members. The SC lacks geopolitical realities' with regards to the modern world. For example, the council lacks permanent representation from African and Latin American countries, however, it is overpowered by Asian and European countries. The reason why this issue has not received a great deal of attention or coverage is because of the Permanent Five Members (P5) Nations do not want to lose their authorities or powers within the council (Goodenough, 2013). The central issues in Council reform are membership, transparency and working methods and the veto.

Over the years, countries have had back and forth negotiations with the P5 nations and some of them have supported the cause (Hammarskjöld, 2015). Most recently, the US gave its support to India. France has backed Africa for a permanent seat. However, there has been backlash over how the process and discussion should be more transparent and coordinated between the Security Council and the General Assembly and Economic and Social committees. The proposal also included some guidelines on the use of the veto. Furthermore, the African Union has proposed the idea of expanding the council as a separate, suggesting that African and Latin American countries should have a greater opportunity to increase representation. The benefits of the expansion would include giving veto power to the new permanent members, but the plan has not been accepted yet. According to, Jones & El-Ghobashy (2015), the membership issues have received attention in media and from nations world-wide. As of now, the P5 nations have the right to veto and there are higher chances that would not give up this right. Lack of transparency in the Council's working methods place emphasis on how the Council goes about making decisions and the lack of information that they are required to provide to other parts of the UN (UN Organization, 2014). Furthermore, the subsidiary bodies of the Council do not include UN members unless they are members of the Council at the time (Jones & El-Ghobashy, 2015), and there have been numerous attempts to implement the reform, however none of the ideas put-forth have been a success.

Possible Solutions

The Security Council has repeatedly tried to come up with possible solutions for the problem on hand and the long term. The Council emphasizes the need for reform and transparency in order to welcome better functioning and goals. On the 20th of November 2018, The United Nations General Assembly gathered to discuss ongoing issues. The floor had come on common ground regarding the Security Council's working in transparency and member-state driven. Here are some of the statements made in the room.

Many reasons can be enlisted which support the initiative to reform the UNSC: lack of democracy, insufficient regional representation, lack of legitimacy in ensuring global governance, to the low representation of the international community. The imbalance between the number of members in the GA and the UNSC has made the UNSC very exclusive and has formed one of the main flaws of the Council. The Council's size is not reflective of the current number of member states of the UN and its growing membership, and this contradicts Article 2 of the UN Charter, which states, "principle of the sovereign equality of all Members." Many countries are advocating for an increase in the number of the Security Council permanent and non-permanent members. Also, any change in the Security Council membership requires a two-thirds vote from the General Assembly, which includes all the permanent members.

Belgium's representative, agreeing that Security Council reform was critical for the United Nations' credibility and proper operation, said such efforts should seek to make the organization more representative, effective, and transparent. He emphasized the importance of addressing fair representation, including giving African countries and small- and medium-sized Member States more significant opportunities to participate in an enlarged Council's deliberations. While progress had been made in recent years, efforts must continue moving forward; he stressed that the reform process would be successful if the Member States negotiated in good faith. Furthermore, delegates put forward agreements for equitable representation and reallocation of the veto power in a comprehensive manner.

Questions a resolution must answer

1. How should the veto system be amended to make the voting system less imbalanced?
2. Which situations would qualify for the suspension of the veto power of the permanent 5 members?
3. Should the ICJ be given special powers to force the Security Council in the enforcement of its legal decisions against permanent 5 members?

Starter Sources

- Hammarskjöld, D. (2015). Vetoes – Security Council. Quick Links - Research Guides. United Nations Dag Hammarskjöld Library. Retrieved March 10, 2015, from <http://research.un.org/en/docs/sc/quick/veto>

Bibliography

- Aeschlimann, J., & Regan, M. (2017). *The GA Handbook A practical guide to the United Nations General Assembly* (2nd ed., pp. 13-24). Permanent Mission of Switzerland to the United Nations.
- All Answers Ltd. (November 2018). Case for Reforming Security Councils. Retrieved from <https://www.lawteacher.net/free-law-essays/international-law/case-for-reforming-security-councils-international-law-essay.php?vref=1>
- Annan, K. (2005). In larger freedom: Towards development, security and human rights for all. Fifty-ninth session Agenda items 45 and 55.
- Chang, K.C. (1989), translated by W. Tsao, ed. by B. Gordon, "The Neolithic Taiwan Strait" (PDF), *Kaogu*, 6: 541–550, 569, archived from the original (PDF) on 2012-04-18.
- Chapter XVIII | (n.d.). United Nations. <https://www.un.org/en/sections/un-charter/chapter-xviii/index.html>
- Cooney, K., & Sato, Y. (2009). *The rise of China and international security*. Routledge.
- Denton, K. (2015) Museums, memorial sites and exhibitioner culture in the People's Republic of China, *The China Quarterly: Special Issue on Culture in the Contemporary PRC*, 183 (September), 565–586.
- Edward Horgan, J. (2008). *The United Nations – Beyond reform?* (Doctoral Dissertation). University of Limerick
- Fasulo, L. (2009). *An insider's guide to the UN*. Yale University Press.
- Goodenough, P. (2013, September 17). Head of Islamic Bloc wants his group to have permanent seat on U.N. Security Council. CNSNews.com. Retrieved from <http://cnsnews.com/news/article/patrick-goodenough/head-islamic-blocwants-his-group-have-permanent-seat-unsecurity/>>
- Hammarskjöld, D. (2015). Vetoes – Security Council. Quick Links - Research Guides. United Nations Dag Hammarskjöld Library. Retrieved March 10, 2015, from <http://research.un.org/en/docs/sc/quick/veto>
- Jeremy E. T. (2007) . “Taipei’s ‘Britisher’: W. G. Goddard and the Promotion of Nationalist China in the Cold-War Commonwealth”, *New Zealand Journal of Asian Studies*, Vol. 9, No. 2 , p. 128.

Jones, R., & El-Ghobashy, T. (2015, March 29). Arab league agrees to create joint military force. The Wall Street Journal. Retrieved from <http://www.wsj.com/articles/arab-league-agrees-to-create-joint-military-force-1427632123>

Leopold. (2005, March 20). Evelyn: Annan wants swift decision on U.N. council reform. Reuters.

Mitter, R. (2017) A bitter revolution: China's struggle with the modern world (Oxford, Oxford University Press).

NAM - Non-Aligned Movement - Its Introduction. (n.d.). Retrieved from <https://byjus.com/free-ias-prep/nam/>

Taiwan Affairs Office and the Information Office of the State Council, The One-China Principle and the Taiwan Issue (2000) available from http://www.gov.cn/english/official/2005-07/27/content_17613.htm, foreword.

Tosin, D. (2016). The Reform of the UN Security Council: Flaws and Obstacles. Retrieved from <http://tuckmagazine.com/2016/08/29/reform-un-security-council-flaws-obstacles/>

UNFoundation. (2012). The UN Security Council. United Nations Foundation: Connecting You with the United Nations. Retrieved March 13, 2015, from Foundation 'UNITING FOR CONSENSUS' GROUP OF STATES INTRODUCES TEXT ON SECURITY COUNCIL REFORM TO GENERAL ASSEMBLY. (2005). Retrieved from <https://www.un.org/press/en/2005/ga10371.doc.htm>

United Nations. (2014, December 10). Generous contribution by Saudi Arabia's king will aid millions of refugees, Secretary-General Says, Expressing Gratitude to Leader. United Nations: Meetings Coverage and Press Releases. Retrieved October 12, 2015, from <http://www.un.org/press/en/2014/sgsm16410.doc.htm>

Vickers, E. (2007). Museums and nationalism in contemporary China. *Compare: A Journal Of Comparative And International Education*, 37(3), 365-382. <https://doi.org/10.1080/03057920701330255>

Wezeman, P. D., & Wezeman, S. T. (2015, March). Trends in international arms transfer, 2014. SIPRI Fact Sheet. Retrieved from www.sipri.org

This background guide has been reviewed and inspected by: 1) The AUDMUN's executive Department of Committees & Research (Ali A. Kurukçi, Sidra Rahimy). 2) AUD's Department of International & Middle Eastern Studies (Dr. Elham Seyedsayamdost, Omar Bortolazzi). 3) The Criminal Investigations Department, Abu Dhabi (CID).