



# V. LEGAL COMMITTEE TOPIC GUIDE

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PRESENTED BY



## V. LEGAL COMMITTEE

### A. Comprehensive review of the whole question of peacekeeping operations in all their aspects (52)

Peacekeepers and peacekeeping operations have been critical to the United Nations to help uphold peace and security during international conflicts. Since their first deployment in 1948, seventy missions have been carried out across Africa, Asia, Europe, and Latin America involving more than two million peacekeepers. As defined by the United Nations Department of Peacekeeping Operations, peacekeeping is considered any “technique designed to preserve the peace, however fragile, where fighting has been halted, and to assist in implementing agreements achieved by the peacemakers.”<sup>53</sup> UN peacekeeping is based on three principles; 1) consent of the parties involved in a conflict; 2) ensuring impartiality when deployed; and 3) the non-use of force unless acting in self-defense or when authorized by the Security Council to prevent the disruption of their original mandate.<sup>54</sup> Peacekeeping also relies on mandates set forth by various UN Security Council resolutions, including Resolution 1325 on women, peace, and security; Resolution 1612 on children and armed conflict; and Resolution 1674 on protecting civilians during armed conflicts.

The United Nations has stressed the importance of providing peacekeeping operations with defined mandates, objectives, and adequate resources. On February 18, 1965, the Special Committee on Peacekeeping Operations was established to “undertake... a comprehensive review of the whole question of peace-keeping operations in all their aspects.”<sup>55</sup> This committee has reviewed a vast number of topics concerning peacekeeping operations such as conduct and discipline, cooperation with nations, restructuring peacekeeping operations, the definitions concerning peacekeeping operations, and the implementation of mandates. The committee has also released numerous reports containing recommendations and proposals for the UN General Assembly to consider concerning peacekeeping operations. The 2023 Report of the Special Committee on Peacekeeping Operations brought forward multiple proposals and recommendations regarding topics such as partnerships, the conduct of peacekeepers during operations, the protection of peacekeepers, and increasing the proportion of women involved in peacekeeping.<sup>56</sup>

Peacekeeping operations continue to face numerous difficulties from a wide range of issues, including but not limited to the expanding use of technology to directly target peacekeepers, challenges faced by climate change, the presence of non-state armed groups, and international organized crime.<sup>57</sup> In 2015, the Report of the High-Level Independent Panel on Peace Operations was published and suggested four main areas to improve peace operations: conflict prevention and mediation, protecting civilians, clarity on the use of force, and new approaches for the prevention of relapse into conflict.<sup>58</sup> In addition to improving these main areas, this committee should ensure that peacekeeping operations

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<sup>53</sup> [https://peacekeeping.un.org/sites/default/files/capstone\\_eng\\_0.pdf](https://peacekeeping.un.org/sites/default/files/capstone_eng_0.pdf)

<sup>54</sup> <https://peacekeeping.un.org/en/principles-of-peacekeeping>

<sup>55</sup> [https://undocs.org/en/A/RES/2006\(XIX\)](https://undocs.org/en/A/RES/2006(XIX))

<sup>56</sup> <https://undocs.org/en/A/77/19>

<sup>57</sup> <https://undocs.org/en/A/C.4/77/SR.18>

<sup>58</sup> [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2015\\_446.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_446.pdf)

continue to emphasize the values defined in the United Nations Charter and uphold the mandates given by previous resolutions.

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### B. Countering the use of information and communications technologies for criminal purposes (111)

As technology continues to grow and expand, cybercrime and the criminal use of information and communications technologies (ICTs) are becoming an increasing threat to the international community. ICTs are generally defined as any technology that gathers, stores, and transmits information between devices, some examples of which are satellites, computers, cell phones, and the internet. While ICTs have their benefits, misuse of this technology for criminal purposes has become a threat to international security. Fueled by different motives such as financial gain, criminal organizations have been able to offer their services to both State and non-State actors. Reports have found that non-State criminal actors “are the source of many malicious tools and methodologies and the growing sophistication and scale of criminal activity,” with some having “demonstrated capabilities previously available only to States.”<sup>59</sup> All in all, the use of ICTs for criminal purposes can create consequences that could threaten international security and stability.

Various committees and strategies have been created by the UN to help counter the use of ICTs for criminal purposes. On December 27, 2019, the UN General Assembly established an ad hoc committee to “elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes.”<sup>60</sup> This ad hoc committee worked on areas to combat criminal use of ICTs including criminalization, preventive measures, and law enforcement, with a draft convention created to be considered by the 78th General Assembly between January 29 and February 9, 2024.<sup>61</sup> Additionally, the United Nations Office on Drugs and Crime established a Global Programme on Cybercrime in 2013 to assist member states in technical assistance and capacity building to help increase their cybersecurity capabilities.

As part of the Information and Communications Technology Strategy adopted in 2015, the UN Office of Information and Communications Technology (OICT) created an information security framework for the Secretariat that focuses on transparency, continuous monitoring, vulnerability management, privacy, and general security architecture and policy developments.<sup>62</sup> This strategy, however, has since concluded due to the increase in and reliance on technology exemplified by global events such as the COVID-19 pandemic. The OICT is now working on a new technology strategy to reflect this trend. It is imperative member states establish a unified front to counter the criminal uses of ICTs and improve international cybersecurity capabilities to stop this technology from falling into the wrong hands. The Under-Secretary General of the UN Office of Counter-Terrorism Vladimir Voronkov stated, “[we] must come together now... to mitigate this threat and ensure that new technologies remain a force for good rather than a force for evil.”<sup>63</sup>

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<sup>59</sup> <https://unidir.org/wp-content/uploads/2023/05/UNIDIR ICTs International Security Cybercrime.pdf>

<sup>60</sup> <https://undocs.org/A/Res/74/247>

<sup>61</sup> [https://www.unodc.org/documents/Cybercrime/AdHocCommittee/Website/AHC\\_Road\\_map.pdf](https://www.unodc.org/documents/Cybercrime/AdHocCommittee/Website/AHC_Road_map.pdf)

<sup>62</sup> <https://undocs.org/A/69/517>

<sup>63</sup> <https://www.un.org/counterterrorism/cybersecurity>

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### C. Measures to eliminate international terrorism (112)

While individual member States have a responsibility to conduct counter-terrorism measures, the United Nations serves an important role in leading the way and coordinating measures to prevent international terrorism. Over the past 30 years, the United Nations has formed committees to deliberate on issues involving terrorism and provide guidance from member nations on countering these threats. During its sixtieth session on September 6, 2008, the General Assembly adopted Resolution 60/288, which established the United Nations Global Counter-Terrorism Strategy, a framework that assists in member states' abilities to prevent and fight terrorism, build States' counter-terrorism capacities, and ensuring respect for human rights and the rule of law.<sup>64</sup> Additionally, on June 15, 2017, the United Nations Office of Counter-Terrorism (UNOCT) was created to lead, coordinate, and support member countries' efforts in preventing terrorism.<sup>65</sup>

According to Mike Smith, Assistant Secretary-General of the United Nations and Executive Director of the Counter-Terrorism Committee, “[efforts to counter terrorism include] securing borders, tightening financial controls, strengthening the role of the police, improving criminal justice systems, and providing mutual legal assistance to other countries trying to convict terrorists in [member nation’s] courts.”<sup>66</sup> These measures have proven successful but are difficult for many member states to implement due to the high cost and administrative burdens. In 2022, terrorist attacks fell by twenty-eight percent and deaths continued to drop down to a third of its peak in 2015, with “violent conflict remain[ing] the primary driver of terrorism, with over 88 percent of attacks and 98 percent of terrorism deaths in 2022 taking place in countries in conflict.”<sup>67</sup>

Global events such as the COVID-19 pandemic pushed terrorists to explore new methods of recruitment, training, and violence. Due to reductions in counter-terrorism resourcing and the worsening humanitarian crises in various states brought on by quarantine measures, there was increased fear that pandemic-related impacts led to an increase in the threat of terrorism.<sup>68</sup> It is important for member states to adequately address the ever-changing threat posed by terrorism. International cooperation is vital to prevent terrorism. As stated by Assistant Secretary-General Mike Smith, “It is clear that Governments alone cannot deal with this challenge. Countries with truly effective counter-terrorism strategies recognize the value of involving local communities, the private sector, the media, and other groups in society.”

<sup>64</sup> <https://undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F60%2F288&Language=E&DeviceType=Desktop&LangRequested=False>

<sup>65</sup> <https://www.un.org/counterterrorism/about>

<sup>66</sup> <https://www.un.org/en/chronicle/article/securing-our-future-decade-counter-terrorism-strategies>

<sup>67</sup> <https://reliefweb.int/report/world/global-terrorism-index-2023>

<sup>68</sup> <https://www.un.org/securitycouncil/ctc/content/update-impact-covid-19-pandemic-terrorism-counter-terrorism-and-counterterrorism-violent-extremism>

