

Background Guide for Secretary General's Security Council

Agenda: 2003 invasion of Iraq

Open Letter from the EB

Honourable Delegates,

Welcome delegates to the 2020 edition of the Secretary General's Security Council. As your executive board, we are looking forward to meeting you and excited for two days of heated debate.

The Security Council will have 20 members, each person only chosen if they have more than a certain level of experience. The Security Council aims to facilitate a high level of debate amongst the more experienced delegates attending GWHMUN. The smaller committee size ensures that everyone is given ample opportunity to speak and all countries are involved in the agenda.

The background guide given is purposefully left short as to just be a starting point for your research. Over the two days we will expect legal and rigorous arguments and creative solutions which take into account the Economic, Political and Humanitarian issues in the region. As the committee is historical and semi-crisis, delegates will be given the power to change history through joint directives.

If you have chosen the SC, regardless of your experience, you are in for a challenge. Be well studied as your fellow delegates will surely be. Be confident and be prepared and you will have a fantastic time at the Secretary general's Security Council.

Sincerely,
Anay Sharma,
Vice Chair of the Secretary General's Security Council.

About the United Nations Security Council

The United Nations Charter established six main organs of the United Nations, including the Security Council. It gives primary responsibility for maintaining international peace and security to the Security Council, which may meet whenever peace is threatened.

According to the Charter, the United Nations has four purposes:

- to maintain international peace and security;
- to develop friendly relations among nations;
- to cooperate in solving international problems and in promoting respect for human rights;
- and to be a centre for harmonizing the actions of nations.

All members of the United Nations agree to accept and carry out the decisions of the Security Council. While other organs of the United Nations make recommendations to member states, only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter.

The UNSC is composed of 15 members, China, Russia, France, USA and UK are the permanent members and have veto powers. Observer nations cannot vote on resolutions.

This committee is a historical SC and will begin on the 21st of March 2003.



INTRODUCTION:

The Iraq War was an extensive armed conflict, often referred to as the Second Persian Gulf War, that began in 2003 with the invasion of Iraq by a United States-led coalition that overthrew the government of Saddam Hussein. The conflict continued for much of the next decade as an insurgency emerged to oppose the occupying forces and the post-invasion Iraqi government. Several historiographical debates surround the grounds for the American intervention. The invasion of Iraq raises a variety of questions not only regarding the applicability of the *jus ad bellum* (Justice of Resorting to War) but also with regarding previously codified legal definitions such as that of pre-emptive force, by the Nuremberg Trials, and the principle non- intervention, by the International Court of Justice during their case *Nicaragua v United States of America* (1986). The American party argued that their intervention adhered to international law by claiming for it to be a matter of self-defence and in defence of other nations due to the Iraqi regime's "history of reckless aggression in the Middle East" and "deep hatred of America" [1]. The party also argued that their intervention was justified as they did so to protect innocent civilians against their state that "aided, trained and harboured terrorists, including operatives of al Qaeda" and used chemical and biological weapons against their civilians, as done during the Al-Anfal Campaign, where chemical weapons like Mustard and Sarin gas were used in the town of Halabja and Kurdish villages [2].

The opposing party, however, presents alternative perspectives citing the United Nations General Assembly Resolution 2625 and Articles 1, 36, 51 of the Charter of the United Nations claiming that the America-led coalition did not follow all the necessary guidelines stated in the previous articles which were necessary to intervene.



BACKGROUND

To understand the situation in Iraq in the 21st century an insightful understanding of Middle Eastern politics is preliminary more specifically of the tension in Kuwait post the First Gulf War. The Iraqi annexation of Kuwait triggered the first American intervention catalysing the Shia and Kurdish uprisings against the Saddam Hussein regime. These uprisings were successfully suppressed by then standing government however, the suppression brought with it the allegations of use of chemical weapons against masses of civilians and a subsequent threat of possession of nuclear capable ammunitions [3]. All leading to multiple United Nations deliberations and meditation and ultimately to the foundation of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) by the United Nations Security Council (UNSC).

The threat of the presence of both above mentioned illicit warfare techniques hampered the anticipated political equilibrium in the region and incited in the western nations a fear of global disruption. The American party along with the North Atlantic Treaty Organisation partied nations saw the armaments and change in political dominance as a threat to their sphere of influence, a region that served as a vital oil and energy resource provider sustaining a multitude of global economies [4]. One argument believes that the Bush administration used these developments to drive their policies during the 2001 Presidential Elections, manipulate both Presidential and Congressional approval ratings and later formulate the Emergency Wartime Appropriations Act of 2003. These Acts and legislations in turn allowed the Bush administration to secure critical policy promise such as those of fighting against the 'Axis of Evil,' increased military spending and increase presence of American troops overseas. Making the American led operation in Iraq beginning on the 20th of March, 2003 a controversial historical event.[5]



Actions by UNSC

Prior to 2002, the Security Council had passed 16 resolutions on Iraq. In 2002, the Security Council unanimously passed Resolution 1441. Important resolutions are 678, 687, 1284 and 1441.

In 2003, the governments of the US, Britain, and Spain proposed another resolution on Iraq, which they called the "eighteenth resolution" and others called the "second resolution." This proposed resolution was subsequently withdrawn when it became clear that several permanent members of the Council would cast 'no' votes on any new resolution, thereby vetoing it.[1] Had that occurred, it would have become even more difficult for those wishing to invade Iraq to argue that the Council had authorized the subsequent invasion. Regardless of the threatened or likely vetoes, it seems that the coalition at no time was assured any more than four affirmative votes in the Council—the US, Britain, Spain, and Bulgaria—well short of the requirement for nine affirmative votes.

Other international law concepts delegates can research are the Caroline Affair of 1837, the Permanent Court of International Justice in Lotus Case (1927) and the Nuremberg Tribunal (1946), UN Charter and SC mandate, International Humanitarian Law (IHL) which is codified in Rule 14 of the International Committee of the Red Cross, Proportionality in Attack, and Article 51(5)(b) of the Additional Protocol to the Geneva Convention that dictates - any attack which is expected to have a loss and injury to civilian life and, damage to civilian objects, or a combination, excessive in relation to the military advantage is strictly prohibited.



BIBLIOGRAPHY:

- [1] Bush, George W. "Iraq War Ultimatum Speech" Presidential Address. 10 Dec. 2018, Washington D.C.
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- [4] Paul, James A. "Iraq: the Struggle for Oil." Global Policy Forum, Aug. 2002, www.globalpolicy.org/component/content/article/185/40471.html.
- [5] "Iraq War." Encyclopædia Britannica, Encyclopædia Britannica, Inc., 29 Nov. 2019, www.britannica.com/event/Iraq-War.

Resources for delegates:

<https://www.un.org/en charter-united-nations/>
<https://www.un.org/Depts/unmovic/documents/1441.pdf>