

Forum: Political Committee (PC)

Issue: Setting legal guidelines to prevent the violation of national sovereignty by outside political interference

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Introduction

The United Nations has come together under its charter principles and purposes. Among these principles were “sovereign equality of all its Members” (“*Chapter I.*”) The protection of sovereign equality and “independent exercise of [state] functions” (“*Chapter I.*”) are imperative pillars of the United Nations mechanism. Concerns over national sovereignty are common preoccupations of Member States and the United Nations was founded to act with respect to such concerns.

The protection of national sovereignty and respect to independent exercise and jurisdiction are addressed in mainly every UN document concerning and calling for international collaboration. The Charter of the United Nations itself limits the United Nations organization and Member States from “[intervening] in matters which are essentially within the domestic jurisdiction of any state” (“*Chapter II.*”) Although non-interference in domestic issues is formally encouraged, the principle is not strictly defended. The vagueness of which issues fall under domestic jurisdiction resulted with the foreign involvement of various States and alleged violations of sovereignty.

In the midst of political turmoil and instability, there are conflicts of interest of other State partners and violation of national sovereignty and international boundaries. Thus, the necessity to set legal guidelines becomes apparent and essential. Such guidelines would voice the ethics of interference and pose a common stance for the international communities and eventually assist the maintenance of independent exercise and sovereign equality. Maintaining mutual respect towards national sovereignty is fundamental to uphold intergovernmental cooperation which is the main instrument of the United Nations.

Definition of Key Terms

National Sovereignty: The energy of any state to do all the things required to oversee itself. For example; controlling the laws as well as forcing and gathering charges, making war and peace. (“National Sovereignty”)

Sovereign Equality: Sovereign equality is the concept that every sovereign state has the same legal rights as other sovereign states in law.

International Boundaries: Borders are the geographical boundaries of political entities or legal judgments such as governments, sovereign states, federal states and other transnational corporations.

Domestic Jurisdiction: It refers to the exclusive internal adequacy of the state's highest legislative, judicial and executive authorities.

Intergovernmental Cooperation: Things between two or more governments, nations or between levels of the same government. The best example of intergovernmental cooperation is the United Nations.

International Collaboration: The collaboration which is between the partners of European Union Member States and countries.

National Independence: Not to be colonized by other States, living freely.

Global Affairs: Affairs that are between Nations.

Democratic Intervention: Left-wing political union established to support and defend socialist ideologies in countries.

General Overview

Sovereignty is the power to exercise authority on all the above mentioned forces and the power to command and to process an order. Also it is the power to get the final say in the nation's future. To talk about National sovereignty it means the power to run the government belongs to the nation and the politicians to run the government are elected by the nation. There are two meanings of sovereignty which are the external and internal meanings. The external meaning of the sovereignty is the independence of the state and their equality rate with other states. In the context of an improvement to independence, the international plan can only be limited by its own will. Internal meaning of the sovereignty is, national sovereignty which means that the state only relies on the nation.

The boundaries and policies of each country are different from each other. However, the countries are involved in the internal affairs of other countries. To elaborate on examples; In 2017 Lebanon prime minister, Saad Hariri, resigned in the borders of Saudi Arabia. Lebanese Foreign Minister Gebran Bassil said only Lebanese people can decide to leave Lebanon's government representatives. Allies of Saudi Arabia and Hariri rejected the news that the prime minister was under house arrest, but there was no explanation to deny that Hariri was free from his freedom. Saudi Arabia said the Iranian-backed Hezbollah movement "captured" the political system in Lebanon. Hariri criticized Iran and Hezbollah for saying that they had caused controversy in the Arab countries in his resignation speech and said he was afraid of an assassination attempt against him. In a statement made by Hezbollah, Saudi Arabia was called to end its involvement in Lebanese interior affairs.

Also, an explanation made by Russia was said to be an infinite settlement in Syria with its armed forces, as America is in the same with Iraq and Afghanistan. Also Russia stated that, in violation of sovereignty of the Americans, United States settled a large section of Syria and tried to establish local authority. The main feature of the US in the Cold War was having a tendency to become a part of the Cold War. The

United States objected to the Soviet system and kept the military alliance and a consistent and comprehensive approach led to the outbreak of the Soviet Union. After the Cold War, "war against terrorism" came. Islamist terrorists tried to overthrow the World Trade Center in 1993 and the United States attacked Afghanistan and led the Taliban. Later, in 2003, the United States invaded Iraq to remove Saddam Hussein from the center and establish democracy there. To elaborate on the Iraq war by United States, United States departs Iraq after more than eight years of war and occupation. Furthermore tactical use of distant tactics and light footprint special operations forces is an example of the lasting effect of the Iraq war in March 2003, joining American foreign policy.

Major Parties Involved and Their Views

The United States of America: The United States of America is one of the most dominant influences in global affairs. The American leadership has been on the global stage since World War II. This leadership is partly due to the advanced military power of the United States. Since World War II, the United States of America has interfered in various regions. The American intervention in Vietnam, Iraq, and Afghanistan are some of the most controversial examples of American interference around the world. The alleged violations of national sovereignty and independence of domestic jurisdiction surround the American involvement in such regions.

Russian Federation: Russian Federation, also known as Russia, has been actively voicing its concern for the violation of its independent exercise and the violation of domestic jurisdiction of its State partners such as Syrian Arab Republic. Russia is an active Member State with one of the most advanced military forces in the world. In one of his addresses, Vladimir Putin criticized the aggressive interference in the Middle East and North Africa region, where the destruction of regional institutions and dynamics caused a vacuum of political leadership (Daily South Africa).

Syrian Arab Republic: Syrian Arab Republic, also known as Syria, has undergone severe armed conflicts and political threats. Syria, the epicenter of refugee crisis in the Middle East, has been threatened by Islamic States insurgencies, Kurdish separatists and militias, and an ongoing civil war, causing millions of casualties and displaced persons. The interference of coalitions and State partners in the region intensified the regional conflict, resulting with the conflict escalation into a global matter.

Iran and Saudi Arabia: Since Lebanese Prime Minister Hariri left resigned unexpectedly from being Lebanon's Prime Minister, Lebanon has caught itself in the midst of rivalry between the Saudis and Iran and puts the experts in a dangerous situation, economic and political deterioration and, worst of all, another civil war.

Timeline of Events

1781-1814	The founding of independent National Sovereignty.
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1928	The Nationals support “National Sovereignty in response to petitions on racial discrimination.
1945	Since the United Nations was established in 1945, the idea of sovereignty experienced a profound and limitation.
1991-2003	United States controlled Iraqi airspace north and south of the country with periodic attacks on air and land targets.
1993	Islamist terrorists tried to overthrow the World Trade Center.
2001	United States and NATO intervened to overthrow Taliban in Afghan war.
2015	President of USA announced that he had authorized US forces to provide logistical and intelligent support to Suudi in his military intervention in Yemen, establishing a “Joint Planning Cell” with Saudi Arabia.

UN Involvement

Although the UN Charter of 1945 states in article 2(7), that “nothing should authorise intervention in matters essentially within the domestic jurisdiction of any state,” Chapter VII does entitle the Security Council to take action in cases of a “threat to the peace, breach of the peace or act of aggression”. In practice, since the end of the cold war the UN has been intervening more often in conflicts within (as opposed to between) states. Sometimes it has happened with, and sometimes without, the consent of the governments concerned.

Relevant UN Documents

The Friendly Relations Declaration [UNGA res. 2625(XXV) 1970] includes a whole section on 'The principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in

accordance with the Charter.' The UN General Assembly adopted a Declaration on the Inadmissibility of Intervention and Interference in the Domestic Affairs of States (UNGA resolution 2131 (XX) 1965).

Treaties and Events

International treaties bind states to give their own citizens rights that are agreed on at a global level. Among early treaty formulations of the non-intervention principle was Article 15 (8) of the Covenant of the League of Nations and the Montevideo Convention on Rights and Duties of States of 1933. The article prohibited "interference with the freedom, the sovereignty or other internal affairs, or the processes of the Governments of other nations," together with the Additional Protocol on Non-Intervention of 1936.

Evaluation of Previous Attempts to Resolve the Issue

In May 2008, Extremely Severe Cyclonic Storm Nargis caused the worst natural disaster in the recorded history of Myanmar. The cyclone made landfall in Myanmar on Friday, 2 May 2008 and caused catastrophic destruction and at least 138,000 fatalities. French government wanted to help Myanmar and French diplomats at the United Nations argued that aid might have to be "imposed" on Myanmar if the military regime refused to cooperate ("To Protect").

Also there have been much more significant previous attempts to resolve the issue. UN has failed to prevent the United States of America's (US) intervention of Syria in 2014. Since 2014 the American-led intervention in the Syrian Civil War is ongoing and the justification of the US government is to fight the terrorist organizations such as Islamic State of Iraq and the Levant and against the al-Nusra Front in the region. The main reason for US intervention in Syria was the apparent use of chemical weapons by Assad outside the Syrian capital Damascus on August 21, 2013 (Manfreda). However, during the Syrian Civil War, which began in 2011, USA attempted to assist the Syrian rebels and trained them in order to weaken the Syrian government. Also Syria is one of the most important countries in the Middle East, in terms of location and international relations. The Responsibility to Protect (R2P), the global commitment adopted at the 2005 United Nations (UN) World Summit, was an international response to mass atrocity crimes in Syria. Despite the debate surrounding the UN Security Council individual states, regional organizations and UN agencies have struggled to find ways and means of upholding their responsibility to protect the people of Syria.

There are numerous other examples of conflicts shaped by the military interventions of the US or Russia: Iraq, Afghanistan, Nicaragua, Chile, Iran, Vietnam and Kosovo. The reasons for these failures are the organisation's power structure, and the problem of enforcing member states' accountability to international law – and the institutional failings of the UN Security Council (UNSC) (Anwar).

Possible Solutions

While writing clauses and debating resolutions, delegates should keep in mind that the idea of state sovereignty means that all states are equal. Despite their different land masses, population sizes, or financial capabilities, all states have an equal right to function as a state and make decisions about what occurs within their own borders. Since all states are equal in this sense, one state does not have the right to interfere with the internal affairs of another state.

In the Myanmar case discussed in the preceding section, instead of a country trying to find its way into Myanmar's borders for help, non-governmental organizations (NGO) such as Médecins Sans Frontières (Doctors Without Borders) could be sent to the region. NGOs are leading supporters of the "right of humanitarian intervention" in cases where governments are not adequate to help their own people.

The UNSC is dominated by the P5 members: the US, the UK, France, Russia and China. These Member States can veto a resolution tabled in UNSC, and the council's ability to maintain peace and security therefore depends upon their interests – and not necessarily the concerns of those directly affected by conflicts and wars. Thus, regulations on the veto rights of the P5 members are necessary while deciding on issues such as the violation of national sovereignty by outside political interference.

Another problem with the UN is the ratification of the decisions by its sub-organs such as the International Court of Justice (ICJ). ICJ has problems about the legal accountability of member states. Chapter XIV of the UN Charter authorises the UNSC to enforce ICJ rulings, but this is still subject to the veto power of the P5 members of the Council thus, if seen necessary by the delegates, a new UN organ should be established in order to regulate the legal issues of the national sovereignty violations and take action without any interference from the five permanent members of the council. If the decision of the council accepts the intervention of another member state then the UN organ should also regulate the invasion of the region any actions taken during the time period inside another sovereign country's borders.

Notes from the Chair

Although the following is not the main focus of the agenda, it should still be considered while drafting a resolution upon outside political intervention: the case of ISIS, the recent Operation Olive Branch conducted by Turkey in Northern Syria, Kurdish cantons, the case of Libya, the case of Ukraine and the annexation of Crimea.

Delegates are reminded to protect the interests of their delegations but in the same time to respect the founding value of sovereignty of Member States of the United Nations. Delegates are to clarify the legal binding power of any set guideline and justify this legal procedure.

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