

# Houston Area Model United Nations Standard Committee

## UNSC



Chair | Aditi Srivatsan

Vice Chair | Timothy Zhang

Topic B: Addressing the Militarisation of Global  
Shipping Routes, with Emphasis on the Red Sea  
and Suez Canal

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# Chair Letter

**Delegates,**

At this critical juncture, nations around the world are meticulously examining treaties, agreements, and a myriad of documents to determine the best diplomatic approach to address the situation at hand: Settlement to the Conflict in the Sahel Region, a crisis where multi-layered issues, including political instability, fragile economies, environmental degradation, and the spread of violent extremism, converge to threaten international peace.

As you navigate the intricacies of this council, I urge you to reflect on previous policy decisions, analyzing their strengths and weaknesses to develop innovative strategies. We expect a resolution at the end of this committee session that addresses both the major and minor nuances of the issues we face, allowing for compromise while upholding key national goals and policies.

- + Note: Do not use the background guide as the only source of information to substantiate any statements, it is meant for research purposes only and does not cover the full scope of debate. Read further on each point in your own time.

Regardless of whether you are a first-timer or a seasoned delegate, we, as your executive board, hope to make this conference engaging, entertaining, and educational for all of you. Good luck to you all.

Yours Sincerely,

Aditi Srivatsan  
Chair of UNSC  
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# Committee Information

## INTRODUCTION TO THE UNITED NATIONS SECURITY COUNCIL

The United Nations Security Council was formed in 1945, following the second world war. It comprises five permanent and ten non-permanent members having a two-year term. The

People's Republic of China, the French Republic, the Russian Federation, the United Kingdom, and the United States are permanent members of this council. The UNSC is a prominent organ in the United Nations and its main function regards "action with respect to threats to the peace, breaches

of the peace, and acts of aggression"

([un.org/sections](http://un.org/sections)). The council was developed on the basis of having a legitimate effect on international security compared to the failure of the League of Nations. The Security Council has more influence regarding force to induce peace. This intertwines with the purpose of the council, which is to curb and mitigate breaches

of peace. Most efforts of the UNSC have been to mediate conflicts and find peaceful resolutions to said conflicts. The UNSC has utilized its abilities to further prevent conflict on an international scale through military action. An example of this is an action taken against ISIS in which the UNSC acquired a unanimous vote to prevent further attacks.

In the perambulatory clauses of the resolution the UNSC "[reaffirmed] that terrorism in all forms and manifestations constitutes one of the most serious threats to peace and security". The past of the UNSC has fluctuated from success to failure and calls for both criticism and praise. On a more serious note, the Security Council is the only United Nations institution that has the legal authority to declare war.

## MANDATE OF SECURITY COUNCIL

Article 24 of the UN Charter establishes the Security Council's principal mandate for the maintenance of international peace and security on behalf of the UN members. Article 39 provides

the Security Council's mandate to determine what constitutes a threat to the peace, a breach of the peace or an act of aggression. Chapters VI (on the peaceful settlement of disputes) and VII (on the action with respect to threats to the peace, breaches of the peace and acts of aggression) provide the Council with its operational guidelines. Together these chapters provide the Security Council with a suite of options for action in the face of events which might endanger the maintenance of international peace and security. This ranges from the investigation of a dispute, enjoining parties to settle their dispute peacefully, recommending the terms of a settlement, establishing compliance measures, imposing sanctions, and taking such action based on the use of force as may be necessary.

In exercising its mandate, the Security Council is required to respect the fundamental international legal principle of non-interference in the internal affairs of member states. In practice, this has come to require the consent of sovereign governments before forces under UN mandate can be deployed 'on the ground'. Despite the apparently broad power of Article 39, for much of the life of the United Nations, the international legal norm has been that threats to peace and security were to be closely defined as military aggression, armed conflict or violence between two or more states. There are some procedural distinctions between the Security Council and General Assembly committees. The most essential ones will be mentioned in this guide. If there are any other small changes, these will be mentioned during the conference.

## VETO POWERS IN THE SECURITY COUNCIL

There are five permanent members of the Security Council, known colloquially as the Permanent Five (the United States of America, the United Kingdom, France, China, and the Russian Federation), who will exercise their veto authority if they vote against something during the voting session. When a P5 delegation exercises its veto authority, the resolution in the issue cannot be passed, regardless of the positive/negative vote ratio.

**For the Benefit of the committee, the Veto Power can only be successfully exercised if the permanent delegation provides a valid and competent 90-second speech, mentioning their intentions for using their veto on the resolution.**

# Relevant International Documents

International law exists to provide order in the world, defining the rights and obligations of states. The Security Council's authority to refer situations to the ICC or the ICJ, and vice versa, makes legal rigor necessary. Knowing relevant clauses is essential, as legal debate is the foundation of our decision-making and legitimacy.

**International agreements, conventions and treaties:** The Non-Proliferation Treaty, the Geneva Conventions, the Vienna Convention on the Law of Treaties so on and so forth. Documents internationally recognized and ratified by nations involved in the conflict. These are subjective to signature and ratification, the difference of which is rather important. The signature to a treaty indicates that the country accepts the treaty. It commits not to take any actions that would undermine the treaty's purposes. A treaty is signed by a senior representative of a country such as the president or the foreign minister.

The ratification symbolizes the official sanction of a treaty to make it legally binding for the government of a country. This process involves the treaty's adoption by the legislature of a country such as the parliament.

**Codified International Law:** is the set of legal rules that have been formalized and written down in treaties, conventions, or other international instruments. The Vienna Convention on the Law of Treaties (VCLT) is the document that codifies the fundamental rule making treaties binding, with Article 26 referred as "Pacta sunt servanda- specifically stating

"Every treaty in force is binding upon the parties to it and must be performed by them in good faith."

**The UN Charter-** The United Nations Charter is a foundational document that established the United Nations (UN) in 1945. It serves as the constitution of the UN. Articles of the UN charter particularly addressing Non-State Violent actors in the Red Sea and Maritime trade include but are not limited to.

**Article 1(1):** To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

**Article 2(4):** This article prohibits the threat or use of force by member states against the territorial integrity or political independence of any state. It emphasises the importance of peaceful resolution of disputes.

**Article 1(3):** This article highlights the UN's commitment to promoting and encouraging respect for human rights and fundamental freedoms without discrimination based on factors such as race, gender, language, or religion.

**Article 56:** This article calls for all members to take joint and separate action in cooperation with the UN to achieve universal respect for human rights and fundamental freedoms.

**Article 39:** This article empowers the UN Security Council to determine the existence of any threat to peace, breach of peace, or act of aggression, and to make recommendations or take action to maintain or restore international peace and security.

**Article 42:** This article provides for enforcement actions by the Security Council, including the use of measures such as sanctions, blockades, or other actions not involving the use of armed force.

**UN Convention on the Law of The Sea-** The United Nations Convention on the Law of the Sea was adopted in 1982 and entered into force in 1994. It lays down a comprehensive regime of law and order for the world's oceans. The Convention notes that developments since the United Nations Conferences on the Law of the Sea held at Geneva in 1958 and 1960 have accentuated the need for a new and generally acceptable Convention on the law of the Sea- Referring to its predecessors.

**Article 301: Peaceful Uses of the Seas-** This article requires States to refrain from any threat or use of force against the territorial integrity or political independence of any State in maritime areas, aligning with the UN Charter. This is the primary prohibition against aggressive military actions.

**Article 88: Reservation of the High Seas for Peaceful Purposes:** It explicitly states that the high seas shall be reserved for peaceful purposes.

**Article 87: Freedom of the High Seas:** Guarantees the freedom of navigation and freedom of overflight for all States in the high seas and the EEZ (via Article 58), which is the legal basis for global military deployments, exercises, and reconnaissance outside of territorial waters.

**The International Tribunal for the Law of the Sea**-is an independent judicial body established by the Third United Nations Convention on the Law of the Sea to adjudicate disputes arising out of the interpretation and application of the Convention. The Tribunal has jurisdiction over any dispute concerning the interpretation or application of the Convention, and over all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal (Statute, article 21).

## Other Maritime Conventions

**The 1958 Geneva Conventions:** Preceded UNCLOS and laid down principles for maritime law, including rules on territorial seas, the high seas, and the continental shelf.

### **Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949-**

The Geneva Convention relative to the Protection of Civilian Persons in Time of War, also known as the Fourth Geneva Convention, outlines protections for civilians during wartime. In the context of the Syrian civil war, the following articles are particularly pertinent:

**Article 3:** This article outlines the minimum protections that must be afforded to individuals not taking part in hostilities, including civilians.

**Article 27:** This article protects the rights of individuals in occupied territories, ensuring they receive humane treatment and are not subjected to violence or coercion.

**The Responsibility to Protect (R2P)** is an international norm developed in response to the international community's failures in Rwanda, Bosnia, and Kosovo. The idea began with the International Commission on Intervention and State Sovereignty (ICISS), which asserted that sovereignty is not a shield. CIISS asserted in its 2001 report that every government has a responsibility to protect its people. Moreover, if a government fails this duty, then the international community has a responsibility to step in and intervene.

**Customary International Law or Customary Law:** These are laws that have come to be due to practice and norm. This law is, although not on paper or signed, considered the most binding of its kind due to the scale of practice. Some examples would include the following:

**The principle of non-refoulement** is the cornerstone of asylum and of international refugee law. Following from the right to seek and to enjoy in other countries asylum from persecution, as set forth in Article 14 of the Universal Declaration of Human Rights, this principle reflects the commitment of the international community to ensure to all persons the enjoyment of human rights, including the rights to life, to freedom from torture or cruel, inhuman or degrading treatment or punishment, and to liberty and security of person. These and other rights are threatened when a refugee is returned to persecution or danger.

**Diplomatic immunity**, in international law, the immunities enjoyed by foreign states or international organizations and their official representatives from the jurisdiction of the country in which they are present. The inviolability of diplomatic envoys has been recognized by most civilizations and states throughout history. To ensure exchanges of information and to maintain contact, most societies—even preliterate ones—granted messengers safe-conduct. Traditional mechanisms of protecting diplomats included religious-based codes of hospitality and the frequent use of priests as emissaries. Just as religion buttressed this inviolability, custom sanctified it and reciprocity fortified it, and over time these sanctions became codified in national laws and international treaties.

**Freedom of Navigation** One of the central principles of international maritime law is the freedom of navigation on the high seas. This principle allows ships from all nations to pass through the high seas and through certain international straits without interference from coastal states. • Straits used for international navigation (e.g., Strait of Hormuz, Strait of Malacca) must remain open for transit and cannot be closed by any single state. • Right of innocent passage: Vessels passing through territorial waters must do so in a manner that is not prejudicial to the peace, good order, or security of the coastal state.

# Background

The Suez Canal is a vital supply route the quickest sea route between Asia and Europe, and is particularly important in the transportation of oil and liquefied natural gas (LNG). On 17th November 1869, the Suez Canal was opened to use. While the Suez Canal was cementing its presence on the world, the geopolitical landscape was undergoing dramatic change.

Britain increasingly viewed the Suez Canal as a vital strategic asset, ultimately using the 1882 Urabi Revolt as a pretext to invade Egypt and secure control of the waterway. This influence culminated in the 1888 Convention of Constantinople, which declared the canal a neutral, always-open passage for all nations

In 1956, Egyptian President Gamal Abdel Nasser made the decision to nationalise the Suez Canal Company - a bold assertion of Egyptian sovereignty and a direct challenge to the vestiges of colonial control. This decision inevitably led to retaliation. In July 1956, Britain, France, and Israel launched an invasion to regain control over the waterway. Known as the Suez Crisis, foreign pilots and technicians were withdrawn, the Straits of Tiran were closed to Israeli shipping, and, for a brief period until troops were withdrawn.

In 2021, The Ever Given Was a ship stuck in the Suez Canal for 48 hours-Acting as a stark reminder of the system's vulnerability. Alternative routes - whether it be the longer circumnavigation of Africa or the emerging promise of a Northern Sea Route - are continuously evaluated by shipping conglomerates. But when measured against the dramatic reduction in travel distance, the Suez Canal remains unmatched.

Currently, the Houthis have command over the significant Al Hudayah port, situated midway of the country's western coast, it, along with the ports of Salif and Ras Issa, also part of the Al Hudaydah Governorate, account for about 70% of all imports into Yemen, along with 80% of the humanitarian aid for what the United Nations calls 'the world's worst humanitarian crisis'. With its unique convergence of colonial-era power struggles, political discord, state fragility, and unfolding situations, the Red Sea region remains one of the world's most unstable zones. The maritime takeover came not out of the sudden Houthi control over the Yemeni ports and the direct result of the Israel-Gaza conflict, but stemmed out of a buildup beginning from the 1990s.

# Challenges and Conflict in the Region

During the peak of Somali piracy between 2010 to 2015, Somalia became a ground base for Houthis to smuggle weapons, largely from Iran, to fuel their newly gained power in the Civil War torn country. A confirmed suspicion of a partnership between the two was borne out of a particular hijacking of MT Central Park, an Oil Tanker which was captured by the Somalian pirates in November of 2023, the U.S. Destroyer USS Mason responded to the distress call from the ship which prompted the perpetrators to attempt an escape, surprisingly towards the coast of Yemen. An even bigger astounding fact was when it was revealed that about an hour to an hour and a half later, two ballistic missiles launched from Houthi-controlled areas in Yemen struck the Gulf of Aden about 10 nautical miles away from the ship.

## Piracy

The origins of piracy in Somalia can be traced back to the collapse of Siad Barre's regime. With the fall of the dictatorship, the Somali Naval Forces also disintegrated, creating the emergence of illegal foreign fishing vessels in the country's waters which devastated the local fisheries population, the people now decided to take matters upon themselves to survive.

With easy access to arms due to regional turmoil, fishermen gathered together and began patrolling the waters in an effort to scare off the illegal fishing vessels, and more often than not, gain some monetary yields. This signifies the first stage, which emerges when impoverished coastal communities resort to piracy as a means of survival.

As piracy proved to be a lucrative enterprise, it transitioned into a second phase characterised by the rise of larger, well-structured pirate networks. In the final stage, pirate organisations function almost like independent political entities, wielding significant power.

In this particular instance, this stage was prevented due to various measures taken by the Puntland government, the United States, the European Union and NATO deploying missions in the region. A dominant complication with the implementation of measures to limit these actor's is their classification under the UNCLOS Article 101, which in brief outlines methods dealing with Illegal acts of violence on the high seas, This article however, is made vague by part II of UNCLOS, the cases of armed robbery against ships are different from offences of piracy, and the former will be handled by the coastal state security forces itself. This puts the application of international laws on these waters in a tricky complication, as more often than not, these acts were carried out by former fishermen who functioned in predominantly unorganised groups

# Challenges and Conflict in the Region

## **The Houthis**

The Houthis, also known as Ansar Allah ("Supporters of God"), are an Iran-backed militia group in Yemen. A new period had started in the Middle East, with Israel's aggressive response to Hamas October 7th 2023 attack, the Houthis had declared their goal of targeting any ship linked to Israel in the red sea, further adding US and UK ships to their list of targets after the countries executed airstrikes on Houthi bases. This declaration of attacks on marine vessels is born out of the Houthis' take over of the key city of Al Hudaydah, which includes the crucial ports of Al Hydayadh, Al Salif, and the Ras Isa Marine Terminal, which are responsible for approximately 70% of war-torn country's external aid and income.

The main motive of the attacks on merchant vessels, as declared by the militia is said to deter the Israeli aggression on Gaza and to proclaim their support for Hamas, a key actor of Iran's Axis of Resistance, along with the Houthis and Lebanon's Hezbollah.

A UNSC report gives an account of the enormous amount of revenue generated by the Houthis from these ports and other illegally collected taxes, citing it at roughly \$13 billion USD. This money is then allegedly funneled through channels in Iran, which are used to supply drones and missiles that perpetuate attacks on cargo containers.

## **A Suspected Partnership**

The spread of the Red Sea Crisis is also allowing Houthis to establish themselves to open dialogue with other nations to give ground for negotiations. It is speculated that this can be seen in steps taken by Russia in abstaining from voting from the 2015 United Nations Security Council (UNSC) Resolution 221610, which stated to sanction those destabilizing Yemen and urged the Houthis and other parties to end violence and safeguard, as well as through China and Russia abstaining from voting in two UNSC Resolutions, which call for the Houthis to stop attacks on merchant vessels and release the M/V Galaxy Leader and its crew.

It can be theorised that Abstaining from such moves has allowed China and Russia to ensure safe passage of their vessels through the Red Sea Corridor, although due to the outdated and inaccurate data system of Houthis, a vessel carrying Russian oil was attacked in late January 2024, along with the Chinese-owned oil tanker Huang Pu.

# Challenges and Conflict in the Region

In China's case, the U.S. intelligence community and Treasury Department uncovered a complex web of shell companies, which funnel weapons manufacturing equipment and dual-use electronic components to the Houthi arsenal. In exchange, the Houthis avoid targeting Chinese-flagged vessels.

## The Militarization Problem

the Houthis took up space in the power vacuum left by the suppression of pirate activities, but this comes at a high cost of having Western countries spread their influence in the region, especially with the heavy militarisation of the waters.

The United States has significant strategic and economic interests in the Bab el-Mandeb Strait. Viewing these costs, along with the fact that The United States of America sees itself as a "defender" of the international order in the Middle East, it is not surprising that US involvement in the Red Sea Crisis has been far reaching.

The maritime Operation PROSPERITY GUARDIAN was launched in December of 2023 as a response to the heightened level of attacks by the Houthis in November of the same year, a month after the Israel-Hamas War began. This was concerning to many when neither Egypt nor Saudi Arabia took action. Despite the former's economy heavily depends on the revenue generated by the Suez Canal.



# Past UN Actions

Delegates, your resolutions cannot be drafted in a vacuum. I urge you to treat past UN resolutions as essential case studies, analyze their successes and failures. Determine which mechanisms worked, which parts stalled, and why. The resolution you draft must be a logical progression, building upon proven strategies and fixing the deficiencies of our history. Let the work of the past inform the effectiveness of future action.

- The UNSC Resolution 2216- Adopted in 2015 Imposes a targeted arms embargo against individuals or entities designated by the Committee; designates two additional individuals as subject to targeted measures (assets freeze, travel ban and targeted arms embargo); adds violations of the targeted arms embargo and obstruction of the delivery, access to and distribution of humanitarian assistance as designation criteria; and increases the Panel of Experts on Yemen to five members.
- The UNSC Resolution 2722 adopted in January of 2024- Post the yemeni rebels launching their largest-ever barrage of drones and missiles targeting shipping in the Red Sea, forcing the United States and British navies to shoot down the projectiles in a major naval engagement, This resolution demanded that the Houthis immediately cease all attacks on merchant and commercial vessels and took note of the right of member states, in accordance with international law, to defend their vessels from attacks.
- The UNSC Resolution 2768- Called for ongoing monitoring of the situation as these attacks continue despite the previous year's 2722 resolution demanding ceasefire. The preceedings of the committee session included the representative of the United States claiming "information on the weapons we all know Iran is supplying the Houthis" will give the Council accurate, timely insights to guide its deliberations.

IMO Council 112 Session- IMO Council condemned the attacks and expressed its concern over the serious risks to navigational safety. The Council also emphasised the need for flag States and shipowners and operators to review the maritime security plans and implement heightened security. Although they are not legally binding in the same way as UNSC resolutions, these texts provide powerful political consensus.

## **The Djibouti Code of Conduct (DCoC)**

- The DCoC is the sole formalized international agreement that acknowledges the perilous nature of these waters and outlines a cooperative framework to address the increasing incidents of piracy and armed robbery targeting commercial vessels, signed in 2009, during the peak of Somali piracy, in order to combat piracy and other risks to the safety and security of navigation.
- Yemen, Somalia, Saudi Arabia, and Egypt have strengthened their maritime law enforcement operations since 2010. However, this convention does not mention anything for the Houthis, even after the 2017 Jeddah amendment to the DCoC, which only refers to the need to address more broad maritime security issues in the Red Sea and the Gulf of Aden.

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