

Northwest Model United Nations 2008

November 7-9, 2008, Seattle, WA



WWW.NWMUN.ORG

Dear Delegates,

Welcome to the 2008 Northwest Model United Nations (NWMUN) Conference as well as to the Economic and Social Council (ECOSOC). My name is Emily Lewis, and I will be your Director. I would like to start out by saying how delighted I am to be a part of NWMUN how honored I am to work with such a talented and well-respected group of individuals. Hailing from Bainbridge Island, WA, I am a junior at Western Washington University, majoring in Environmental Policy with a minor in History. After college, I hope to move on to graduate school for related environmental studies with the goal of pursuing a degree in international environmental law. I specialize in topics within MUN dealing with the environment or other public health issues. Outside of the academic setting, I like to get outside and enjoying the Pacific Northwest through such mediums as kayaking, running, hiking, and rock climbing.

Our Chair, Alexander Leeding, is a senior at Willamette University majoring in International Studies and Russian. He comes to this conference with four years experience of Model United Nations at the collegiate level and four years experience at the high school level. While he has been in many Secretariat positions, this is his first time chairing a committee in four years. Currently, he is the President of Model United Nations at Willamette, as well as Chairman of Model United Nations of Cascadia. We are both very excited to meet you in November and appreciate the hard work and research you are undertaking in preparation for NWMUN 2008!

The topics for this year's Economic and Social Council are:

1. Protection of Cultural Property in the Event of Armed Conflict
2. Strengthening the Coordination of Humanitarian and Disaster Relief Assistance, Including Special Economic Assistance

Every participating delegation is required to submit a position paper prior to attending the conference. NWMUN will accept position papers via e-mail until **Wednesday, November 5th**. Please refer to the Delegate Preparation Guide and sample position paper on the NWMUN website for paper requirements and restrictions. Delegates' adherence to these guidelines is crucial to ensure a well-prepared committee and open information on the policy and views of member States.

We wish you the best as you prepare for this conference and committee. We urge you to move beyond the background guide as you learn more about both the State you will represent and the topics we will be discussing. Please do not hesitate to direct any questions or concerns toward your Director. We look forward to meeting you at the conference!

Sincerely,

Emily Lewis
Director, Economic & Social Council
Northwest Model United Nations 2008

Alex Leeding
Chair, Economic & Social Council
Northwest Model United Nations 2008

Committee History

Since its formation in 1945 concurrent with the creation of the United Nations (UN), the Economic and Social Council (ECOSOC) has been the nexus for international cooperation over a broad range of social, cultural, environmental, humanitarian and economic issues.¹ Though originally designed around seventeen member States in 1945, ECOSOC is now composed of fifty-four States, with eighteen elected annually for overlapping three-year terms.² Seats in ECOSOC are distributed based on geographical location, with eleven allotted to Asian States, six to Eastern European States, fourteen to African States, ten to Latin American and Caribbean States and thirteen to Western European and Other (WEOG) States.³ Additional regional subsidiary commissions provide a foundation for further insight into policy recommendations while functional commissions, such as the Commission for Sustainable Development (CSD), the World Health Organization (WHO) and the Commission on the Status of Women (CSW), allow committee members to specialize information gathering for pertinent international issues.⁴

Though ECOSOC dominates policy recommendations for issues relating to international assistance and development, much criticism has been generated primarily over the structure of the council.⁵ Many see the inherent flaw in the council residing within the 1945 Charter, which only permits the body to submit recommendations rather than wield any real decision-making power.⁶ Furthermore, lacking control over global financial institutions such as the International Monetary Fund (IMF) and World Bank inhibits council authority over monetary policy.⁷ Without any real fiscal capability, the council's decisions bear little credence and are thus seen as fundamentally ineffective. The actual size of the council itself creates an additional constraint due to the fact that it is too small to operate as a representative forum for discussion on an international scale yet too large to coordinate as an effective, decisive body.⁸ Thus, debates over ECOSOC reform have generated ongoing efforts at internal reorganization and improvement for the past fifty years.

During the 2005 World Summit, several steps were made towards creating a more efficient and politically significant governing body. While it was made clear that ECOSOC was to remain the primary agent in dealing with matters relating to economic and social development within the UN, governments agreed that its principal mission would be to oversee the implementation of global development objectives such as the Millennium Development Goals (MDGs) through an Annual Ministerial Review (AMR).⁹ The main objective of mandating such an intergovernmental platform is to speed and scale-up policy

¹ United Nations. *Charter of the United Nations*. (1945) Chapter X, Article 61. <http://www.un.org/aboutun/charter/>

² THE ECONOMIC AND SOCIAL COUNCIL: BACKGROUND INFORMATION. (n.d.). *Economic and Social Council: About ECOSOC* [Background Information]. Retrieved August 18, 2008, from Economic and Social Council Web site: <http://www.un.org/ecosoc/about.shtml>

³ THE ECONOMIC AND SOCIAL COUNCIL: ECOSOC MEMBERS. (n.d.). *Economic and Social Council: About ECOSOC* [ECOSOC Members]. Retrieved August 18, 2008, from Economic and Social Council Web site: <http://www.un.org/ecosoc/about/members.shtml>

⁴ THE ECONOMIC AND SOCIAL COUNCIL: SUBSIDIARY BODIES OF ECOSOC. (n.d.). *Economic and Social Council: About ECOSOC* [Subsidiary Bodies of ECOSOC]. Retrieved August 18, 2008, from Economic and Social Council Web site: <http://www.un.org/ecosoc/about/subsidiary.shtml>

⁵ Martens, Jen. (2006) *The Reform of the UN Economic and Social Council (ECOSOC): A Never-Ending Story?* [globalpolicy.org](http://www.globalpolicy.org). Retrieved August 19, 2008, from Global Policy Forum Web site: <http://www.globalpolicy.org/socecon/un/reform/2006/1114ecosocmartens.htm>

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ THE ECONOMIC AND SOCIAL COUNCIL: NEW FUNCTIONS OF ECOSOC. (n.d.). *Economic and Social Council: New Functions of ECOSOC* [New Functions of ECOSOC]. Retrieved August 19, 2008, from Economic and Social Council Web site: <http://www.un.org/ecosoc/newfunct>

implementation on a country-by-country basis.¹⁰ AMR involvement goes beyond delegate cooperation by including civil society, the private sector and academic experts in order to examine and discuss the progress made in the UN development agenda.¹¹ Along similar aims, the World Summit gave birth to an additional mandate known the biennial Development Cooperation Forum (DCF). Launched in Geneva in July of 2007, the DCF embodies the principal efforts of major international agreements such as the Monterrey Consensus, the Johannesburg Plan of Implementation and the Millennium Declaration by enhancing development goal implementation and promoting internationally supportive discussion over policy issues.¹² Participants in the DCF include delegates from both developed and developing countries, UN system organizations, the International Monetary Fund (IMF), the World Bank, the Organization for Economic Cooperation and Development (OECD), and members from the private sector and civil society.¹³ These mandates indicate that strengthening the normative and operative link within the United Nations is vital to create an effective international body. While much work remains for reform and restructuring within ECOSOC, the successes and current endeavors of the council are abundant.

With a wealth of crucial problems facing the world today including the threat of global warming and the steady consumption of the earth's natural resources, ECOSOC members have decided to focus efforts on economic development projects that cater to sustainable practices.¹⁴ Culminating a month-long session in July of 2008, ECOSOC President Léo Mérorès of Haiti urged member States to increase international cooperation and governance to strengthen financial assistance in order to promote social development, economic growth and environmental protection.¹⁵ Future sessions of ECOSOC are set to address the transportation of dangerous and potentially hazardous chemicals with an emphasis on creating a globally harmonized system of labeling.¹⁶ This has potential for facilitating international coordination in combating the harmful effects of inadequate industrial practices. Mérorès' closing remarks at this summer's session also addressed strengthening committee oversight on funds and programmes per the Triennial Comprehensive Policy Review (TCPR).¹⁷

Membership of the Economic and Social Council

Algeria	Angola	Austria	Barbados	Belarus	Benin
Bolivia	Brazil	Cameroon	Canada	Cape Verde	China
Congo	Cuba	Czech Republic	El Salvador	France	Germany
Greece	Guinea-Bissau	Guyana	Haiti	Iceland	Indonesia
Iraq	Japan	Kazakhstan	Luxembourg	Madagascar	Malawi
Malaysia	Mauritania	Moldova	Mozambique	Netherlands	New Zealand
Niger	Pakistan	Paraguay	Philippines	Poland	Portugal
Republic of Korea	Romania	Russian Federation	Saint Lucia	Saudi Arabia	Somalia
Sri Lanka	Sudan	Sweden	United Kingdom	United States	Uruguay

¹⁰ Ibid

¹¹ Ibid

¹² THE ECONOMIC AND SOCIAL COUNCIL: NEW FUNCTIONS OF ECOSOC: DEVELOPMENT COOPERATION FORUM. (n.d.). *Economic and Social Council: New Functions of ECOSOC: Development Cooperation Forum* [New Functions of ECOSOC: Development Cooperation Forum]. Retrieved August 19, 2008, from Web site: http://www.un.org/ecosoc/newfunct/DCF_one-pager.pdf.

¹³ Ibid

¹⁴ DESA News. (2008). Global Dialogue on Development. DESA News Vol. 12, No.07. Retrieved August 20, 2008 from <http://www.un.org/esa/desa/desaNews/v12n07/global.html#top>.

¹⁵ Ibid

¹⁶ THE ECONOMIC AND SOCIAL COUNCIL: MEETINGS. (n.d.). *Economic and Social Council: Meetings*. Retrieved August 20, 2008, from Web site: <http://www.un.org/ecosoc/meetings.shtml>

¹⁷ Ibid

I. The Protection of Cultural Property in the Event of Armed Conflict

Introduction

The need to protect cultural property in the event of armed conflict was a direct consequence of World War II and historical and cultural destruction that the Allied States imposed upon the Axis powers, specifically Germany. In March of 1954 representatives from many States gathered at The Hague in the Netherlands to discuss a set of universal guidelines which could be implemented in order to protect cultural property in the event of armed conflict. This guide will go through the history and evolution of international law regarding the protection of cultural property in the event of armed conflict. It will also examine the contemporary Iraq War and how that conflict has created new implementation and accountability challenges for the United Nations Educational Scientific and Cultural Organization (UNESCO), especially considering recent conflicts in the Middle East.

International Standards for the Protection of Cultural Property Prior to World War II

Before 1954, the Hague Conventions of 1899 and 1907 generally prohibited pillage, destruction and seizure of enemy property unless it was deemed necessary to carry out a military campaign. The conventions also stipulated that private property also was not to be confiscated. Furthermore, the attack or bombardment of undefended historical buildings was also prohibited. Also, three provisions from the two conventions dealt specifically with cultural property; attacking States were required to make an effort to protect buildings dedicated to art, science and religion from attack.¹⁸ However, the Hague Conventions failed to protect many historical landmarks from being either destroyed or severely damaged during World War I. An example of this is the bombing of the Rheims Cathedral or the burning of the library at Louvain¹⁹. After World War II and during the Nuremburg Trials, confiscation and destruction of cultural property began to be prosecuted as a war crime.

The 1954 Hague Convention Protocol

After the Nuremburg Trials and the Geneva Convention in 1949, there was increasing international pressure to specify and define what constituted cultural property in terms of internationally recognized law. As a result, a protocol to the Hague Convention was created in 1954 to deal more specifically with cultural property. According to Article I of the protocol, cultural property was defined as any “movable or immovable property of great importance to the cultural heritage of every people.”²⁰ This definition includes monuments of architecture, art and history, as well as manuscripts, books and other objects of artistic, historical or archeological interest. The definition also includes buildings such as museums, large libraries or large depositories of archives. The protocol also gave member States the authority to take the necessary military action in order to protect cultural property that may be threatened by armed conflict.²¹ In addition, protocol I to the convention requires an occupying State to prevent the exportation of cultural property from an occupied territory. Also, all cultural property that has been imported from an occupied State must be seized and then returned to the occupied State at the conclusion of any armed conflict.²²

The Hague Conventions

After the Hague Convention in 1954, the first major application of the Convention’s protocol did not occur until the 1990s and the first Gulf War in Iraq, as well as the War in Yugoslavia. For instance, members of the coalition forces in Iraq created “no fire target list” of places within the country that were known to have cultural property²³. However, implementation of The Hague rules was not nearly as

¹⁸ <http://www.ifar.org/heritage.htm>

¹⁹ *Ibid.*

²⁰ <http://www.icomos.org/hague/HagueChap1.html>

²¹ *Ibid.*

²² <http://www.ifar.org/heritage.htm>

²³ *Ibid.*

successful in Yugoslavia, where the Dumbrovnik and Mostar bombings illustrated that protocol I of the 1954 Hague rules lacked the legal authority to hold individuals or States accountable for their actions.²⁴

The 1999 Protocol II sought to more specifically define the penal aspects of the Hague Convention, by defining specific articles on criminal jurisdiction, a duty to prosecute or extradite individuals culpable of destroying cultural property. Also, the second protocol placed cultural property under “enhanced protection.” According to the second protocol, to qualify for enhanced protection, an item of cultural property must meet three standards. First, it needs to be of the greatest importance to humanity; an example of this would be a World Heritage site. Second, it shall be protected by adequate domestic legal and administrative measures, which include UNESCO protection that recognize its cultural and historic value. Third, the site cannot be used for military purposes or to shield military sites.²⁵

Also, the Protocol II expands a State’s preparatory obligation to safeguard cultural property from the “foreseeable effects” of an armed conflict. Therefore, a State has the responsibility to prepare a national inventory and plan emergency measures for protection against fire or structural collapse. Also, a State must remove all movable cultural property from areas that are likely to be damaged by armed conflict, and designate competent authorities to protect and safeguard cultural property during an armed conflict.²⁶ The amendments associated with Protocol II of the Hague Convention, created a more clearly defined definition of what constituted cultural property, as well which governing bodies, individuals or States should be held accountable in the event that cultural property is destroyed during an armed conflict.

The War in Iraq

Since the United States led invasion of Iraq in March of 2003 there have numerous accusations that United States and coalition forces did not follow either the 1954 or the 1999 Protocols to The Hague Convention on a legally justified way to protect cultural property during a time of armed conflict. During the first few months of the War in Iraq, it was widely believed that a large number of ancient Mesopotamian artifacts were stolen from Iraq and smuggled out of the country. In addition, there is significant evidence that the United States military did not take the protection of cultural property into consideration when they led the invasion of Iraq in March 2003. Because the War in Iraq is still happening, it is very difficult to discern the exact extent of damage cultural property within Iraq.

The Role of the UN

As we have seen in the War in Iraq, UN member States and UNESCO sometimes have little access to certain areas of conflict. One of the perambulatory clauses to UN Security Council Resolution 1546 states that the international community ought to stress the need to protect the cultural, historical, and archeological cultural property within the State of Iraq. However, the UN and UNESCO ability to mandate or implant the protocols of the Hague Convention has been deeply compromised. This is a question that will dominate political, military, and legal discussions on a global level for years to come.

Questions to Consider

1. What is the role of UNESCO & what type of governing authority does UNESCO have over sovereign States in the event of armed conflict?
2. What type of accountability mechanisms does UNESCO have at its disposal in order to ensure that cultural property is protected during an armed conflict?
3. What are the legal issues regarding scope does the UN have in order to guarantee that cultural property is protected in areas of military conflict?

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

II. Strengthening the Coordination of Humanitarian and Disaster Relief Assistance, Including Special Economic Assistance

This topic guide is a summary of the report of the Secretary-General on Strengthening the Coordination of Humanitarian and Disaster Relief Assistance. This report provides a comprehensive overview of the topic but should by no means be your only source, so the dais encourages you to seek out additional resources from civil society and other international organizations.

Introduction

The level and scale of violence witnessed during the past few years in Afghanistan, Iraq, Darfur and in the Democratic Republic of the Congo is evidence that threats to human security are prevalent and continue to take an unprecedented toll on human life. That an earthquake in the Indian Ocean could trigger simultaneous emergencies in 12 separate countries and cause the largest single loss of life in places as far away as Sweden confirms that the impact of humanitarian crises is more far-reaching than ever before. Such large-scale conflicts and disasters have tested humanitarian response capacity to the limits and have challenged the ability of the humanitarian system to guarantee that such a response is effectively and appropriately applied. The expectation that larger and more visible crises will require greater capacity, quality and accountability in humanitarian response requires that the United Nations system examine — and strengthen — its current systems, tools and competencies. And the recognition that threats to human security are global and interconnected requires that humanitarian crises be tackled with common actions and joint resolve.²⁷

Past International Action

The effectiveness of humanitarian work, however, is not simply a matter of capacity; it also depends on the relevance of Member State dialogue, the focus and strength of intergovernmental resolutions and the ability of the United Nations system to implement and “operationalize” such resolutions in terms of activities on the ground. The recognition of this fact prompted Member States during the humanitarian affairs segment of the 2004 session of the Economic and Social Council to request a progress report on three years of Council resolutions on strengthening the coordination of emergency humanitarian assistance of the United Nations (resolutions 2002/32, 2003/5, 2004/50) to monitor follow-up and to better understand where and how resolutions may have had an impact on the humanitarian policy and practice of the United Nations. Subsequently, the General Assembly, in paragraph 4 of its resolution 59/141, emphasized the importance of the discussion of humanitarian policies and activities in the Assembly and in the Economic and Social Council and that those discussions be further revitalized by Member States.

The implementation of humanitarian resolutions, however, is only relevant if the actions that result from them lead to concrete improvements in the coordination or delivery of humanitarian assistance at UN headquarters or on the ground. Though such “impact” is hard to measure, as policy or programming progress is often driven (or constrained) by a variety of factors, sources and inputs, it is possible to evaluate whether and how the discussions and resolutions of the Economic and Social Council have influenced humanitarian policy and practice by analyzing the Council’s approach to the following thematic issues.

Economic and Social Council support to strengthening humanitarian coordination, however, remains uneven. While Member States have consistently reaffirmed the lead role of the Emergency Relief Coordinator in humanitarian response, humanitarian resolutions have stopped short of strengthening the

²⁷ <http://www.un.org/docs/ecosoc/jump2ods.asp?symbol=E/2005/78>

resident coordinator/humanitarian coordinator system that extends such leadership to the field. Annual affirmations in the resolutions of the United Nations coordinating role in disaster response have been met instead with the creation of regional initiatives to develop parallel disaster response and coordination structures outside the United Nations system. Economic and Social Council resolutions, however, have correctly emphasized the importance of building regional, national and local capacity to both effectively prepare for, manage and mitigate disasters and to lead the coordination of post-conflict and post-disaster phases. While NGOs have been consistently good at building local and national humanitarian response capacity in a variety of contexts, the United Nations must do much more, and do this in a more systematic manner.

As the thematic cornerstone of the Council's humanitarian affairs segment, strengthening the coordination of humanitarian response in the context of disasters and complex emergencies is of primary and central concern. Such concern should be met with more focused intergovernmental attention in the form of support to those coordination mechanisms and structures that enhance the overall performance of the humanitarian system.

The Special Case of Africa

Regional and sub-regional organizations, such as the African Union, the Economic Community of West African States, the South African Development Community and its New Partnership for African Development initiative, are making great strides in promoting humanitarian assistance, peace, security and sustainable development in a number of countries across the continent. However, high levels of humanitarian needs persist, the challenges involved in addressing such needs remain significant, and attempts to exploit such opportunities and effectively engage regional, subregional and national institutions to address these needs have not been successful. If the humanitarian system is serious about ending suffering in Africa, it must be more systematic in the way it approaches humanitarian crises there. This includes taking focused and coordinated steps to identify the level of need; to build, re-establish and employ indigenous early warning, preparedness and response capacity; and to commit to funding such initiatives in an equitable and predictable way.

Today, many parts of Africa are dominated by several crises of protection and displacement, where acute insecurity and increased violence against civilians in many areas are preventing humanitarian agencies from delivering basic services to vulnerable populations. In Darfur, the escalation of fighting, high levels of sexual and gender-based violence and the deliberate targeting and killing of humanitarian staff have dramatically reduced the ability of the humanitarian community to provide assistance and address protection concerns throughout the crisis. In northern Uganda, an increase in violence and brutal killings, abductions, rapes and attacks by the Lord's Resistance Army is preventing humanitarian agencies from expanding basic services to 1.4 million internally displaced persons (IDPs). In addition, the United Nations Children's Fund (UNICEF) estimates that about 20,000 children have been abducted since 1986, serving as soldiers, porters and sex slaves, and 35,000 children continue to travel by night to avoid abduction. In the Democratic Republic of the Congo, the World Health Organization estimates that nearly 40,000 women and men, girls and boys have become victims of sexual and gender-based violence, compounding the human impact of a conflict that has killed more than 3.8 million civilians since 1998. In Togo, violence following the outcome of the presidential elections has triggered refugee movements (34,000 persons) to Benin and Ghana. The number of internally displaced persons is unknown.

The African Union has been instrumental in enhancing the protection of civilians in Darfur, as it has provided protection in displacement camps and along routes used for the collection of firewood and water and has usefully ensured proper balance of female police officers to assist in cases of sexual violence. Substantially increasing the levels of deployment of the African Union would go a long way to improving protection to civilians in Darfur. Such practices should be replicated in other contexts.

Strengthening Humanitarian Capacity

Recent events have demonstrated that the humanitarian community is capable of launching a massive response, when called upon. However, it has become equally apparent that the quality of such a response cannot always be guaranteed; humanitarian response does not always meet the basic needs of affected populations in a timely way, response varies considerably from crisis to crisis and current capacity levels are not always sufficient to meet the demands of major emergencies occurring at the same time. While some of the factors affecting response are specific to individual crises — such as the lack of access and obstruction of aid — some of the key challenges seem to be systemic in nature.

Crises such as Darfur highlight the difficulties of mobilizing capacity in a complex environment and underscore some fundamental weaknesses in the capacity of the humanitarian response system. For example, when the humanitarian community was authorized to respond to the crisis in Darfur, a rapid and robust response was not entirely forthcoming. Bureaucratic measures taken by the Government and the escalation of fighting by both rebel groups and Government forces delayed the early deployment of humanitarian staff. However, even when the situation stabilized, the humanitarian system was unable to quickly mobilize substantial amounts of emergency funds or field appropriately skilled and seasoned staff. And while, over time, the humanitarian community has made progress in addressing the mandate and gaps and technical weaknesses in certain sectors — water and sanitation, shelter, protection and internally displaced persons (IDPs) camp management — coverage in these areas remains uneven.

The tsunami response also highlighted some key areas where response capacity could be strengthened. For example, the leadership and performance of the resident coordinators, who acted as humanitarian coordinators, varied from State to State. Some critical common services were slow to mobilize and pre-existing standby arrangements with Governments, notably the United Nations Disaster Assessment and Coordination teams system and the International Humanitarian Partnership, might have benefited from better coordination and a broader range of staff and expertise. Well-known sectoral weaknesses became evident almost immediately and coordination, particularly in the health sector, was patchy. Coordination among NGOs and between NGOs and the United Nations was poor. And in recent months, as the response has shifted from relief to recovery and rehabilitation, it is clear that there is a need to improve the system's ability to focus on social and economic rehabilitation alongside infrastructure projects.

These and other crises also demonstrate that the humanitarian system has not been entirely successful at tapping into the significant capacity that does exist, particularly at regional and State levels. National and local leadership of the relief and recovery effort following the December 2003 earthquake in Bam, Iran, was critical to immediate life-saving efforts as well as the smooth progress to the recovery phase. Similarly, countries such as Jamaica and Cuba were able to minimize the damage caused by the 2004 hurricane season because of effective State and community programmes that allowed them to initiate evacuation, the provision of shelter and the management of relief supplies. The African Union has been vital to establishing the conditions necessary for the quick and effective delivery of humanitarian assistance in many parts of Africa. On the other hand, systems put in place to prevent mass locust infestation in north-western Africa have not been maintained.

Speed of deployment in emergencies and disasters is essential in ensuring effective coordination and timely service delivery. Though the humanitarian system's rapid response capacity was well demonstrated during the tsunami crisis, adequate deployment of appropriate staff and material resources to the Darfur crisis was less swift. Moreover, while common services — logistics, communication and information technology, and mine action — have become mission-critical to the movement of staff, resources, the identification and analysis of needs, and the delivery of assistance, such services need to be strengthened with additional, experienced staff, skilled in a variety of technical areas, capable of leading field operations and able to deploy at short notice. Finally, the provision of rapid financial analysis and

close to real-time financial tracking is critical to enhancing the timing of the funding and the quality of the response.

Significant capacity gaps exist in water and sanitation, shelter and camp management, and protection, and such weaknesses are consistent across both disasters and emergencies. In some instances, such failings are attributable to gaps in mandate. In other cases, the humanitarian response system lacked the presence, skills and experience to perform required functions. In all cases, such weaknesses have delayed response, prevented adequate coverage and reduced the system's ability to ensure equity in the distribution of aid. There is therefore a need to reinvest in developing and maintaining systemic capacity for humanitarian response by increasing and strengthening professional staffing in key sectors, by improving common logistics and communications services and by forming and supporting strategic partnerships that tap into the large response capacity of NGOs and draw on the existing expertise of local and regional organizations. Because the protection of civilians is a responsibility that lies squarely with States, enhancing the protection of civilians requires that Member States commit to preventing and addressing the implications of such violence — in the retraining of the national army and police to create a security sector trained in human rights law, in the demobilization and reintegration of former combatants, in the development of programmes to support women's economic empowerment and in the provision of access to medical and psychological services to victims and survivors of sexual violence. In support of these efforts, the humanitarian system must work to fill protection gaps by improving expertise, agreeing to attendant roles and responsibilities and increasing the capacity of regional organizations to act as protection forces.

Building State and local preparedness and response capacity is key to a more effective response effort; engaging State and local actors in the response phase ensures that relief efforts contribute to long-term recovery. In the case of large-scale natural disasters, State and local response teams are often the most effective at carrying out rapid assessments and coordinating the initial response because they can more easily overcome obstacles that beset their international counterparts. In the context of complex emergencies, national ownership and leadership in the post-conflict phase is critical to the consolidation of peace and to building consensus around development priorities, roles, responsibilities and resources. In both emergencies and disasters, partnering with community members will facilitate long-term sustainability.

All too often, State and local institutions lack adequate capacity to address such humanitarian crises. When building the capacity of the humanitarian system, attention should be given to mobilizing and supporting existing capacities, knowledge and institutions through the transfer of technology and know-how and through public education. Donors and affected Governments should commit to investing much more in disaster preparedness.

Protection and Internal Displacement

Civilian victims of conflict are often forced from their homes, denied access to food, medicine and shelter, and may become the primary target of attacks motivated by ethnic or religious hatred, political infighting or the ruthless pursuit of economic interests. Civilians affected by disasters have lost — often in an instant — not only their homes and belongings, but also their social networks and means of economic survival. Protecting and assisting civilian victims of conflict and disasters is therefore critical to restoring the human capital and capacity of a country. Though the primary responsibility for the protection of civilians rests with States, international support is often required, with the consent of national Governments or when the State cannot protect its citizens alone. With an estimated 50 million persons internally displaced by conflicts and disasters worldwide, protecting and assisting internally displaced persons is particularly important to stabilizing affected countries and restoring economic and social life.

Despite the fact that Member States have condemned certain armed groups — notably the Revolutionary United Front (RUF) in Sierra Leone and the Lord’s Resistance Army (LRA) in Uganda — for egregious acts of violence against civilians, both protection and internal displacement remain contentious topics in the Economic and Social Council. Fears of “humanitarian intervention” elsewhere in the United Nations have overshadowed the protection debate. Fundamental to the issue of protection is access, and this is where humanitarian resolutions have had a role to play. By reaffirming the responsibility of all parties to conflict to ensure the safe and unhindered access of the affected community to humanitarian assistance, and by reminding neighboring States of their responsibility to facilitate the transit of such assistance, the Economic and Social Council has acted as a valuable advocacy tool on behalf of the humanitarian community. While the Council has been instrumental in raising awareness, it has been unable to “operationalize” such principles in the form of actions on the ground. Access continues to be routinely denied by Governments and armed groups in some crises and the Council has been unable to address critical protection needs, such as management of IDP camps and securing communities from the threat of sexual violence. Such issues need to be taken as seriously as material relief and require a less contentious intergovernmental approach.

Gender-based violence, Including Sexual Exploitation and Abuse

Sexual and gender-based violence continues to be used as a weapon of war as women, girls — and some men and boys — are beaten, raped and humiliated as a means of asserting power, breaking community ties and degrading human dignity. The prevailing culture of impunity in many situations further reinforces these developments. Survivors and victims of such attacks often suffer from serious health consequences and rejection by the community; economic exclusion and social constraints often dissuade victims from seeking or receiving help. Sexual exploitation and abuse of civilians by peacekeeping or humanitarian personnel in crises is also an issue of grave concern, but one where allegations of such conduct have prompted action by the United Nations and the humanitarian community.

The Economic and Social Council has consistently raised these issues, although with varying impact. Though the Council called upon States to adopt preventive measures and effective responses to sexual violence and to ensure that those responsible are brought to justice, such a directive has not translated into either preventive or punitive measures on the part of States. The role the Council has played on the issue of sexual exploitation on the part of United Nations humanitarian and military staff, however, has been a positive one, reinforcing the specific actions already under way and lending support and momentum to important policy processes. For example, when efforts were under way to implement the standards developed by the Inter-Agency Standing Committee, it was important to have the strong language in Council resolutions when developing the Secretary-General’s bulletin on special measures against sexual exploitation and abuse and when following up with the United Nations system and with NGOs on adopting standards developed by the Standing Committee as part of their own codes of conduct.

The use of sexual and gender-based violence as a weapon of war is a worrying, enduring problem that should remain firmly on the intergovernmental humanitarian agenda. Ending the culture of impunity that allows such violence to occur should be consistently reinforced by Member States. There is also a need for the more determined engagement of Government with civil society and the Red Cross and Red Crescent Societies to help societies mitigate the effects of such violence, including in the field of health education. Keeping the issue of sexual exploitation of humanitarian staff on the agenda of the Economic and Social Council will continue to be important in continually reinforcing ongoing efforts being undertaken by the system.

Conclusion

As demonstrated above, the Economic and Social Council is an important policy mechanism that would benefit from a more strategic vision and approach. Such an improved approach might (a) better define the role of the Economic and Social Council vis-à-vis that of the General Assembly and the Security Council

with regard to humanitarian issues, (b) clearly and systematically identify and address gaps in the system and improve, rather than constrain, humanitarian action and (c) promote broad ownership of and accountability to issues of common concern. In particular, proposals to differentiate the work of the Economic and Social Council as a specialist technical development/humanitarian body from the substantive normative work of the Assembly would help in this regard.

It is important to remember that while the acute, complex and concurrent crises in Darfur, in the Indian Ocean region and elsewhere have brought to light the limitations of the current system, they also offer critical insight and lessons for how performance and service delivery might be improved.