

Model United Nations

2020

UNSC

Study Guide

Agenda: International peace and security and the right to self determination in the Middle East

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Address by Executive Board

Greetings delegates! Welcome to the seat of power, the United Nations Security Council at the first edition of OpenHouse Model United Nations 2020. It gives us great pleasure to invite you to this premier edition of OHMUN, and to the UNSC. As members of this simulation, of the most powerful organisation in the world, you are now privy to a great deal of power and position. But as the saying goes, responsibility shall also accompany you once you take your places in committee. Nevertheless, remember – the goal is to have fun and enjoy yourselves, whilst interacting with your fellow delegates and learning more. Speaking from our personal experiences, there is no better way to end a MUN conference than by taking something back with you – whether it's an improved set of speaking and communication skills, or a certificate.

Model United Nations committees can often seem like an intimidating but daunting affair, but nothing serves as a better counter to that fear than standing up, and voicing your opinion. We know what it is like to be first time delegates in committees, and we are always here to clarify any doubts or uncertainties you may have as delegates. Just remember, each word is worth its weight in gold, if you make it so.

To kick off your preparation, go through the Background Guide below, but ensure that it serves just as a platform for your research, not its entirety. Feel free to move beyond the Guide if necessary. We expect each and every delegate to be well-versed with all aspects of the agenda, as well as your countries' stances with regards to the same. In committee, we hope to see some highly progressive debate and comprehensive ideas and solutions. All of you are welcome to contact the Executive Board in case of any doubts, queries or if you'd just like to talk about anything regarding the committee or agendas. We wish you all the very best, and shall see you in committee.

Regards,

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About the UNSC

The United Nations Security Council, is one of the principal organisations of the United Nations, and has time and again shouldered the mantle of being the executive organ of the UN, since its inception in 1945. Entrusted with the task of maintaining international peace and security, the UNSC is capable of passing decisions binding on member states, which gives the organisation the power to single handedly take decisions with regard to the defusing of conflict situations all over the world, from conflicts involving non state actors and those involving the member states.

The Security Council has 15 members, 5 Permanent and 10 Non Permanent Members. The 10 non-permanent members are elected on a 2 year basis, but the 5 Permanent member nations, namely the United States of America, the Russian Federation, the French Republic, the People's Republic of China and the United Kingdom possess the power to effectively unilaterally fail a resolution, also called the power to veto. The Security Council also possesses the power to establish and define the mandate of ad-hoc or permanent sub committees and task forces as and when required. The composition, structure and powers of the Security Council are defined by the UN Charter in the following provisions of the UN Charter.

Chapter V: Composition

- a. Article 23 stating the 5/10 composition of the council, defining the permanent members and terms of election of Non Permanent Members.
- b. Article 24 reaffirming the commitment of the member nations to carry out their obligations for the maintenance of international peace and security
- c. Article 25 stating the acceptance of member nations to carry out the decisions of the Security Council in accordance with the UN Charter
- d. Article 26 declaring the establishment of the Military Staff Committee, as further detailed in Article 47
- e. Article 27 defining the voting structure of the UNSC, where each member state possesses 1 vote, and a substantive vote must include the concurring votes of the 5 permanent nations, failing which the resolution is considered to be vetoed and fails immediately
- f. Article 28 stating the requirement of periodic sessions to carry out their duties
- g. Article 29 defining the power of the UNSC to establish subsidiary organs as it sees fit

- h. Article 30 stating the council's power to adopt its own rules of procedure
- i. Article 31 providing for observership of a non member state of the UNSC in the event that the discussion concerns said nation specifically
- j. Article 32 reiterating the provisions for observership

Chapter VI: Pacific Settlement of Disputes:

- a. Article 33 calling for the effort to settle international disputes through pacific means, including but not limited to arbitration, negotiation and judicial proceedings
- b. Article 34 declaring the responsibility of the UNSC to investigate disputes that may cause international friction or endanger the premise of international peace & security
- c. Article 35 stating that any member of the United Nations may bring dispute to the notice of the Secretary General of the United Nations, the Security Council or the General Assembly
- d. Article 36 recalling the power of the UNSC to, at any stage in the dispute to recommend appropriate procedures for its settlement, while taking into consideration the fact that legal disputes should be referred to the International Court of Justice, in accordance with the Statute of the Court
- e. Article 37 reminding nations of their moral obligation to defer an unsolved dispute to the UNSC
- f. Article 38 establishing the duty of the UNSC to provide recommendations for the pacific settlement of disputes with no prejudice to the parties to the dispute

Chapter VII: Actions with Respect to threats to peace, breaches of the peace and acts of aggression

- a. Article 39 defining the duty of the council to assess the nature of a threat to international peace and security and make recommendations for the restoration of the same
- b. Article 40 detailing the preliminary procedure for dispute settlement, wherein the parties to the conflict are requested to find a pacific solution, with non prejudiced recommendations made by the UNSC
- c. Article 41 elaborating the councils power to decide what measures not involving the threat of force may be used for dispute settlement, including partial or complete interruption of economic relations, communication and diplomatic relations
- d. Article 42 stating that if the provisions of Article 41 prove to be unsuccessful, the

UNSC may make use of military measures for the resolution, including demonstrations, blockades & other operations by land, air or sea by forces of member states of the UN

e. Article 43 calling upon member nations of the UN to undertake agreements with the UN to make available their armed and task forces, facilities including rights of passage to the UNSC for the maintenance of international peace and security

f. Article 44 emphasising the duty of the UNSC to seek the consent of a nation not represented in the UNSC before deciding to deploy contingents from said nations by inviting the nation to participate in the council's decisions

g. Article 45 urging nations to make national air force contingents immediately available, in the event of the UNSC being unable to take emergency military measures

h. Article 46 stating that application or armed force shall be made by the SC with the assistance of the Military Staff Committee

i. Article 47 detailing the establishment of the Military Staff Committee to advise & assist the UNSC on matters of military significance & their responsibility for the forces under the banner of the UN & its power to establish regional sub committees

j. Article 48 noting that decisions taken by the UNSC may be executed by some or all of its members, as seen fit, utilising appropriate agencies which they are members of

k. Article 49 declaring that UN member states shall join in affording mutual assistance in carrying out the measures decided upon by the council

l. Article 50 stating that a nation that finds itself to be confronted by problems arising out of measures taken by the UNSC, may consult the council regarding the same

m. Article 51 reiterating the right to self defence of a nation, in the event of an armed attack carried out on it, while also requesting that such an act of self defense be reported to the UNSC, assuring that the actions will in no way affect the decision of the UNSC regarding the same

Chapter VII: Regional Arrangements

a. Article 52 emphasising that nothing in the UN Charter precludes the existence of regional arrangements & organisations for the maintenance of international peace and security, while in no way impairing Article 34 and 35 of the Charter

b. Article 53 declaring that while the UNSC may make arrangements with regional organisations, no enforcement actions may be taken without the

- c. authorisation of the UNSC, with the exception of actions against an enemy state
- d. Article 54 urging that the UNSC must be kept informed of activities undertaken in association with regional organisations for the maintenance of international peace and security.

About the Agenda

A people can be said to have realised its right to self-determination when they have either (1) established a sovereign and independent state; (2) freely associated with another state or (3) integrated with another state after freely having expressed their will to do so. The definition of realisation of self-determination was confirmed in the Declaration of Friendly Relations.

The principle of self-determination outlines not just the duty of states to respect and promote the right, but also the obligation to refrain from any forcible action which deprives peoples of the enjoyment of such a right. In particular, the use of force to prevent a people from exercising their right of self-determination is regarded as illegal and has been consistently condemned by the international community. The obligations flowing from the principle of self-determination have been recognised as *erga omnes*, namely existing towards the international community as a whole.

The Right to Self-Determination

The principle of self-determination is prominently embodied in Article I of the Charter of the United Nations. Earlier it was explicitly embraced by US President Woodrow Wilson, by Lenin and others, and became the guiding principle for the reconstruction of Europe following World War I. The principle was incorporated into the 1941 Atlantic Charter and the Dumbarton Oaks proposals which evolved into the United Nations Charter. Its inclusion in the UN Charter marks the universal recognition of the principle as fundamental to the maintenance of friendly relations and peace among states. It is recognized as a right of all peoples in the first article common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which both entered into force in 1976.

1. Paragraph 1 of this Article provides:

All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. The right to self-determination of peoples is recognized in many other international and regional instruments, including the Declaration of

Principles of International Law Concerning Friendly Relations and Co-operation Among States adopted by the UN General Assembly in 1970;

2. The Helsinki Final Act adopted by the Conference on Security and Co-operation in Europe (CSCE) in 1975;

3. The African Charter of Human and Peoples' Rights of 1981;

4. The CSCE Charter of Paris for a New Europe adopted in 1990;

5. The Vienna Declaration and Programme of Action of 1993.

6. It has been affirmed by the International Court of Justice in the Namibia case.

7. The Western Sahara case;

8. The East Timor case;

9. In which its erga omnes character was confirmed

Furthermore, the scope and content of the right to self-determination has been elaborated upon by the UN Human Rights Committee, and the Committee on the Elimination of Racial Discrimination, and numerous leading international jurists.

That the right to self-determination is part of so called hard law has been affirmed also

by the International Meeting of Experts for the Elucidation of the Concepts of Rights of Peoples brought together by UNESCO from 1985 to 1991, it came to the conclusion that peoples' rights are recognized in international law; the list of such rights is not very clear, but also that hard law does in any event include the right to self-determination and the right to existence, in the sense of the Genocide Convention.

The inclusion of the right to self-determination in the International Covenants on Human Rights and in the Vienna Declaration and Programme of Action, referred to above, emphasizes that self-determination is an integral part of human rights law which has a universal application. At the same time, it is recognized that compliance with the right of self-determination is a fundamental condition for the enjoyment of other human rights and fundamental freedoms, be they civil, political, economic, social or cultural.

The concept of self-determination is a very powerful one. As Wolfgang Danspeckgruber put it: "No other concept is as powerful, visceral, emotional, unruly, as steep in creating aspirations and hopes as self-determination." It evokes emotions, expectations and fears which often lead to conflict and bloodshed. Some experts argued that the title holders should be or are limited in international law. Others believed in the need to limit the possible outcome for all or categories of title holders. Ultimately, the best approach is to view the right to self-determination in its broad sense, as a process providing a wide range of possible outcomes dependent on the situations, needs, interests and conditions of concerned parties. The principle and fundamental right to self-determination of all peoples is firmly established in international law.

The Syrian Conflict

The Syrian Civil War is an ongoing multi-sided civil war in Syria fought between the Ba'athist Syrian Arab Republic led by Syrian President Bashar al-Assad, along with domestic and foreign allies, and various domestic and foreign forces opposing both the Syrian government and each other in varying combinations. The war is currently the second deadliest of the 21st century. The unrest in Syria, part of a wider wave of the 2011 Arab Spring protests, grew out of discontent with the Syrian government and escalated to an armed conflict after protests calling for Assad's removal were violently suppressed.

The war, which began on 15 March 2011 with major unrest in Damascus and Aleppo, is being fought by several factions: the Syrian Armed Forces and its international allies, a loose alliance of mostly Sunni opposition rebel groups (including the Free Syrian Army), Salafi jihadist groups (including al-Nusra Front), the mixed Kurdish-Arab Syrian Democratic Forces (SDF), and the Islamic State of Iraq and the Levant (ISIL), with a number of countries in the region and beyond being either directly involved or providing support to one or another faction (Iran, Russia, Turkey, the United States, as well as others). Iran, Russia, and Hezbollah support the Syrian Arab Republic and the Syrian Armed Forces militarily, with Russia conducting airstrikes and other military operations since September 2015. The U.S.-led international coalition, established in 2014 with the declared purpose of countering ISIL, has conducted airstrikes primarily against ISIL as well as some against government and pro-government targets. They have also deployed special forces and artillery units to engage ISIL on the ground.

Since 2015, the U.S. has supported the Democratic Federation of Northern Syria and its armed wing, the SDF, materially, financially, and logistically. Turkey has been directly involved in operations against the Syrian government since August 2016, not only participating in airstrikes against ISIL alongside the U.S.-led coalition, but also actively supporting the Syrian opposition and occupying large swaths of north-western Syria while engaging in significant ground combat with the SDF, ISIL, and the Syrian government. Between 2011 and 2017, fighting from the Syrian civil war spilled over into Lebanon as opponents and supporters of the Syrian government travelled to Lebanon to fight and attack each other on Lebanese soil, with ISIL and Al-Nusra also engaging the Lebanese Army.

Furthermore, while officially neutral, Israel has exchanged fire with Hezbollah and Iranian forces, whose presence in southwestern Syria it views as a threat. It has also carried out repeated strikes in the rest of Syria since the start of the war, mainly targeting Syrian government forces and alleged Iranian and Hezbollah militants.

International organizations have criticized virtually all sides involved, including the Ba'athist Syrian government, ISIL, opposition rebel groups, Russia, Turkey, and the U.S.- led coalition of severe human rights violations and massacres. The conflict has caused a major refugee crisis. Over the course of the war, a number of peace initiatives have been launched, including the March 2017 Geneva peace talks on Syria led by the United Nations, but fighting has continued

The Israeli-Palestine Conflict

Terrorism as politically motivated violence directed against non-combatants is no doubt as ancient as organized warfare itself, emerging as soon as one society, pitted against another in the quest for land, resources, and dominance. While terrorist violence has been present in the conflict between Jews and Arabs over Palestine for over eighty years, the prevalence of the rhetoric of 'terror' to describe Arab violence against Israeli and Western targets, is a more recent phenomenon. This rhetoric has fostered the popular perception that Arab terrorism is the central problem in the Middle East crisis, and that once solved, progress can be made on other issues. Terrorism between Arabs and Israelis is the product of deep divisions, entrenched strategies, and fundamental grievances, and no informed discussion can ignore its historical and political context.

The conflict between Israeli Jews and Palestinian Arabs is fundamentally a struggle over land, over who is to reside in, own, and possess sovereignty over the territory that is variously called Palestine and Israel. Anyone familiar with this conflict knows that more than land is at stake; both Israeli Jews and Palestinian Arabs are conscious that their very identity is bound up with that land, its terrain, cities, villages, and monuments. The reasons for these mutual attachments reach far back into the history of both peoples, but the conflict dates from the inception of the Zionist movement in late 19th century Europe that called for the establishment of a Jewish state in the historic homeland of the Jewish people, Palestine.

In 1897, Palestine contained approximately 600,000 people, 95% Arab and 5% Jews. Faced with this imbalance Zionist leaders like Theodore Herzl came to favour a program for demographic change: first, to promote massive Jewish immigration into Palestine, and second, to encourage the emigration of the Arabs into the neighbouring countries. In late 1917, the British, whose forces now controlled Palestine, pledged to facilitate establishment of a Jewish national home and open the doors of Palestine to Jewish immigration. As a result, Jews went from 8% of the population in 1918 to 20% by 1931, and by 1948, after three decades of British rule, Jews made up one-third of the two million people in Palestine. Inducing the Arabs to emigrate proved more difficult. In 1918, it became clear to the British authorities in Palestine the Arabs were opposed to Zionism and would resort to violence in order to stop a Jewish state from being established.

Palestinian groups that have been involved in politically motivated violence include the Palestinian Liberation Organization (PLO), Fatah, the Popular Front for the Liberation of Palestine (PFLP), the Popular Front for the Liberation of Palestine- General Command (PFLP-GC), the Democratic Front for the Liberation of Palestine, the Abu Nidal Organization, the Palestinian Islamic Jihad, and Hamas. Terrorist attacks in the region have included hostage taking, plane hijackings, stone throwing, stabbing, shootings, and bombings. Several of these groups are considered terrorist organizations by the United States government, Canada and the European Union. In the mid-2000s Hamas started putting greater emphasis on its political characteristics and strengthened its popularity amongst Palestinians. In 2006 Palestinian legislative elections Hamas won a majority in the Palestinian Legislative Council, prompting the United States and many European countries to cut off all funds to Hamas and the Palestinian Authority, insisting that Hamas must recognize Israel, renounce violence and accept previous peace pacts. After the Israel's unilateral disengagement plan in 2005 and the 2006 Palestinian legislative elections Hamas took control over all the Gaza Strip in June 2007 in a bloody coup. Palestinian militant groups in the Gaza strip increased the firing of Qassam rockets, mortars and Grad missiles on southern Israel. Attacks continued outside the Gaza strip perimeter, including the attack that resulted in the Israeli soldier Gilad Shalit being captured and held in the Gaza Strip for over five years. Hamas has made use of guerrilla tactics in the Gaza Strip and to a lesser degree the West Bank. Hamas has adapted these techniques over the years since its inception. During the Gaza War (2008-09), Palestinian militant groups fired rockets aimed at civilian targets which struck the cities of Ashdod, Beersheba and Gedera. Several rockets landed in schools and one fell close to a kindergarten, all located in residential areas. The UN fact finding mission stated that this constituted a deliberate attack against the civilian population and was unjustifiable in international law. In 2013, Hamas stated that the "kidnapping of IDF soldiers is at the heart of Palestinian culture."

The Yemen Conflict

The state of Yemen had been in conflict for decades, leading up to the civil war beginning in 2014, in part due to the death of the prior President, Ali Abdullah Salem, who was assassinated by the Houthi group, also recognized as Ansar Allah. The Houthi movement originated in the 1990s, taking over the Yemeni capital city of Sana'a in 2014 with the help of Salem, overthrowing the then President, who Salem had abdicated to, Abdrabbuh Mansur Hadi, before they were "betrayed" by Salem as he claimed allegiance to Saudi Arabia and its allies. The allies had, by then, sent in support for the government against what has now been called the 'coup'.

The Houthi movement, accused of both anti-semitic activities, and activities that allegedly hurt the Baha'i minority, has been criticized by The United States, Israel and Senegal amongst other countries, and has been declared a terrorist organisation by both Saudi Arabia and the United Arab Emirates. The Houthis, controlling most of Northern Yemen, have been said to have increasingly superior tactics when combating the Yemeni government since 2004. The first six years were predominated by guerrilla warfare, but, by 2010, the Houthis were in possession of Yemeni military equipment, and have since been an apparently dangerous presence in Yemen. The civil war is accredited with taking the lives of 6872 Yemeni citizens as of November 2018. The Yemeni government has, in fact, alienated a significant amount of the tribal population in Yemen, starting in 2006 with indiscriminate bombings of largely tribal areas, which has boosted the popularity of the Houthi organisation. The same group, which in 2004 could not defend its cave province in Sa'ada, was able to take control of strategic cities in 2010, greatly disturbing the control the government has of the nation. Al-Qaeda Arabian Peninsula, or AQAP, has benefited greatly from the Houthi takeover of the Yemeni government, and membership has apparently increased almost exponentially, having 4000 members in 2016 alone.

However, Houthi forces have been proven to have fired artillery indiscriminately in Yemeni cities, and have been accused of the tragedy in Taizz, Yemen's third largest city. Additionally, on the 9th of May in 2017, the Houthis claimed the ballistic missile that had been launched at Riyadh, the Saudi Arabian capital. On the 14th of May, 2019, Houthi rebels carried out multiple drone attacks on oil facilities in Saudi Arabia. Mohammed Abdul Salam, a Houthi spokesperson, declared that this action was taken due to the "genocidal" behaviour depicted by Saudi Arabia. The Houthi organisation

has taken hold of military equipment from the Yemeni government, and have been accused of violating various human rights, as depicted by what may be considered war crimes above, whilst also implementing their own laws in the areas in which they have control, oftentimes trading protection for money. The human rights watch has documented 16 accounts of the Houthi groups taking hostages, which is considered a war crime, and has documented various cases of arbitrary detention. Members of the Baha'i community, as well as the Jewish minority, have been detained without reason except prejudice. In fact, in 2018, the UN Group of Eminent Experts on Yemen concluded that the Houthi group was partly responsible for the perceived war crimes and unnecessary detention of citizens in Yemen. Additionally, the former President, Saleh, accused Iran for backing the Houthi movement, which would essentially translate to the war over Yemen being a proxy war between Saudi Arabia and Iran, two states with no diplomatic ties, partially due to the attack on the Saudi Arabian embassy in Tehran.

Although this claim has been denied by Iran, the Houthi claim that they are supported by the Hezbollah, which is an Islamist political party and military group in Lebanon that and has itself been classified as a terrorist organisation wholly by the United States, Israel, the GCC states, and Canada, has not.

Repercussions of the Unrest

Firstly, the impact of the global economic and financial crisis exacerbated the economic difficulties of the Arab countries, leading to rising prices, high unemployment and livelihood issues that eventually ignited the accumulating public anger, the result of which were overwhelming.

Secondly, the United States started on a downhill track after the wars in Iraq, and Afghanistan, not to mention the economic crisis. Therefore, the US's ability to manipulate international affairs has been weakened. President Obama has adjusted his policy, shifting the US global strategic focus to the Asia-Pacific region, conducting a strategic contraction in the Middle East.

Thirdly, the rise of the emerging economies has had a strong impact on the Arab world.

Finally, the popularity of the Internet has provided a convenient tool for the protesting public. However, it has also enabled some groups with ulterior motives to publish false news and even to fabricate lies to incite the people to add to the simmering pot of hatred. In addition, the intervention of Western powers has intensified and expanded the chaos in the Middle East.

After the turmoil in the Arab world, the priority of the US was to prevent the unrest from threatening its dominant position and strategic interests in the Middle East. At the same time, in the aim of promoting Western core values of "democracy" and "freedom" and preventing the trend of anti-Israeli and American sentiments, the US briskly steered the turbulence toward an "anti-authoritarian democracy movement", and what is more, seized the opportunity to overthrow an untamed government.

The Financial Actions Task Force

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The Gulf Cooperation Council

The Gulf Cooperation Council (GCC) is a loose political and economic alliance between Saudi Arabia, Kuwait, the United Arab Emirates, Oman, Qatar, and Bahrain. The six members of the GCC share similar political systems and cultures, run by autocratic monarchies or sheikhdoms. Saudi Arabia is the most powerful member in the group, often leading initiatives by the group. The GCC collectively possesses nearly half of the world's oil reserves. In 2004, GCC members signed a counterterrorism intelligence-sharing pact, and in 2008 the GCC's common market came into existence.

The GCC states, led by Saudi Arabia, initiated talks between Yemen's various political factions during the Yemeni Revolution in 2011; negotiations were overseen by UN envoys and representatives from 10 countries. These talks led to the GCC Initiative, which set up the National Dialogue Conference (NDC) and created the idea of a "transitional phase" from Saleh's regime to a new Hadi government. The obvious failure of the GCC Initiative and Hadi's transitional government should serve as a lesson of mistakes not to be repeated in future solutions pursued. Since the Houthi takeover of control in the capital and onset of full-scale civil war, nearly all GCC states have contributed to the Saudi-led military intervention to bolster Hadi government control. While Saudi Arabia continues to deploy the largest military force dedicated to countering the Houthis, the role of the other Gulf States is not irrelevant. In Operation Decisive Storm, for example, Saudi Arabia's 100 warplanes were immediately supported with 30 jets from the United Arab Emirates and many more from other allied states. Such regional support for Saudi Arabia's continued military intervention should be noted.

Links & References

feel free to go beyond these

1. <https://library.un.org/index-proceedings/security-council> (UNSC Verbatim)
2. <https://www.icj-cij.org/en/case/141>
3. Your country's foreign affairs website
4. https://www.researchgate.net/publication/316544124_Peace_terrorism_armed_conflict_and_war_crimes
5. https://www.researchgate.net/publication/304615944_Terrorism_in_the_Arab-Israeli_Conflict
6. Reports from UN bodies and fact-finding missions
7. Important legal arguments in the region from legal framework or ICJ judgements [eg- the wall case in the Israel Palestine region which cleared up a lot of legal ambiguity in the region]
8. Reports from your state news agencies
9. Reports from internationally recognised news agencies like Reuters
10. Statements made by your country in international forums