



UNGA

United Nations General Assembly



Committee: General Assembly (UNGA)

Topic: War Crimes

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Dear delegates,

Welcome to our SPISMUN 2025! You'll be participating in the United Nations General Assembly. We anticipate that the subjects you are going to talk about are of extraordinary interest to you. We are going to seek out creative ideas. Don't forget to enjoy and give your best during every stage of the event.

During the sessions we will be your Chair team: Committee Director Hyuna Kang, Committee Secretary Andres Ramirez and I, Adrian Ruizesparza, your Moderator. We will collaborate with you in the midst of this Model of the United Nations. In case you have any questions, suggestions, or remarks, please feel free to speak with us at any moment throughout the dispute.

We hope to see you engaging with the topics, discussing, and trying to find solutions to our global problems. Good luck, delegates!

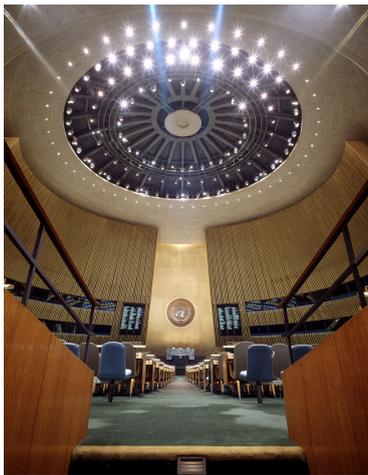
Best regards!

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I. Committee Background

The primary UN deliberative body is the United Nations General Assembly (UNGA), which was founded in 1945. It plays a crucial role in developing UN policy, debating important world issues, and adopting resolutions on a variety of subjects. Every year, usually from September to December, the General Assembly meets, with extra sessions held if needed. Among its various duties, the UNGA chooses the Secretary-General on the Security Council's proposal, approves the UN budget, and elects non-permanent members of the Security Council. The assembly uses particular agenda topics and sub-items to address global issues, and each is carefully discussed before resolutions are accepted.



The assembly uses particular agenda topics and sub-items to address global issues, and each is carefully discussed before resolutions are accepted. This framework makes the UNGA a vital forum for international collaboration and policymaking by enabling it to address a wide range of global issues, including disarmament, human rights, and peacekeeping. The General Assembly's judgments have a lot of political and moral weight even though they are normally consultative and non-binding.

Furthermore, the UNGA balances the power dynamics within the organization by providing a platform for smaller and weaker governments to express their concerns and have an impact on international decision-making processes. When it comes to committees, the UNGA functions through its many specialized organizations and subcommittees, each of which is focused on a certain theme. These committees ensure that conversations are more targeted and fruitful by providing members with an organized means of delving deeply into particular topics, such as international crime, refugee status, or climate change.

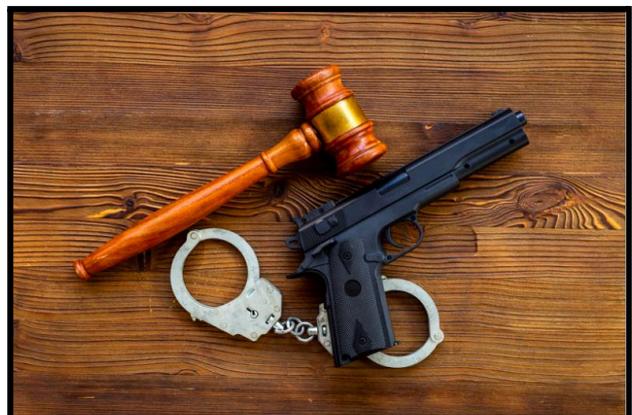
A key component of the General Assembly's role is its capacity to adopt resolutions on a broad range of topics. Although these resolutions are typically not legally enforceable, they

represent the will of the international community as a whole and have the power to affect member state behavior, including the Security Council's and the UN system's policies. The General Assembly is essential to setting the United Nations' course and promoting multilateral discussion on international issues.

II. History of the Topic

Defining "war crime" has been a difficult task that has changed over time, especially after big wars. One of the earliest attempts to officially define how to behave during war was the Lieber Code. Issued in 1863, in the midst of the American Civil War, it was authored by Francis Lieber under guidance from President Abraham Lincoln and aimed to control how Union soldiers acted. It put laws against things like forcing civilians to fight for the other side, committing sexual violence, hurting people badly, and killing civilians without a good reason. Such acts were seen as grave violations of the laws of war and were punishable by death. This was the first time that acts of wartime cruelty were made punishable under international law; however, the code mainly applied to the United States and its soldiers then. Thus, while the Lieber Code set the stage for the wider legal rules that would come later, at the time, it was quite limited in reach and use.

After World War I, it became apparent that the existing rules of war could not prevent the heinous acts committed during its course. The Hague Conventions of 1899 and 1907 sought to put down clear rules regulating warfare—the protection of prisoners and the prohibition of certain weapons. However, these had no strong enforcement mechanisms, were ineffective against as well as during war in preventing and punishing crimes, and left the international community wondering what it could do about wartime atrocities. Though there were efforts to hold perpetrators accountable after World War I, they turned out to be largely symbolic, yielding very little results. After World War II, however, the imperative of strong legal structures to deal with war crimes became undeniable.



The definition and prosecution of war crimes underwent a dramatic change following World War II with the Nuremberg and Tokyo Trials. For crimes against humanity, war crimes, and crimes against peace in particular, these tribunals were the first to hold people responsible for their acts during times of conflict. In instance, the Nuremberg Trials set significant legal precedents, such as the rule that people could not use the defense of being operating under orders to justify crimes. The trials also established the idea of crimes against humanity, which particularly addressed mass extermination and genocide as well as other forms of systematic aggression against civilians. Future international attempts to hold people accountable for war crimes are framed by the ideas established at these tribunals.

The 1949 Geneva Conventions, which increased protection for civilians, medical staff, and prisoners of war, broadened the legal framework for wartime behavior in the wake of these courts. By highlighting the necessity of reducing the suffering brought on by armed conflict, these accords made clear the obligations of the warring parties. With clauses covering everything from the treatment of detainees to the defense of civilian infrastructure, the Geneva Conventions establish a higher bar for behavior. These agreements continue to serve as the foundation for definitions of war crimes today and had a significant role in the development of contemporary international humanitarian law. Their enforcement was still difficult, though.

Conflicts like those in Rwanda and the Balkans as the 20th century came to an end further highlighted the necessity of a long-term organization devoted to war crime prosecution. The United Nations set up ad hoc tribunals in response to the crimes of the Rwandan Genocide and the Yugoslav Wars, and these tribunals played a crucial role in the prosecution of crimes including ethnic cleansing and genocide. The International Criminal Court (ICC), the



worldwide organization tasked with prosecuting those charged with war crimes, genocide, and crimes against humanity, was established in 2002 as a result of these tribunals. The ICC has played a significant role in promoting the prosecution of crimes in both domestic and foreign wars, highlighting the fact that those who perpetrate these crimes.

Today, the definition of war crimes is still changing nowadays in response to emerging conflict types, such as the employment of non-state actors and contemporary military technology. Current definitions of war crimes are more inclusive, covering both new kinds of crimes, such as the use of chemical weapons and sexual assault during combat, as well as more conventional ones, like targeting civilians and using illegal weapons. Regardless of the setting or scope of the fight, the contemporary framework guarantees that those responsible for atrocities are held accountable and reflects the evolving nature of combat.

III. Current Issues

Globally, war crimes remain a major concern, especially in areas like Yemen, Syria, Myanmar, and Ukraine. There have been serious breaches of international law and considerable suffering as a result of these conflicts. Reports of targeted attacks on people, including as bombings, torture, and the use of prohibited weapons, these demonstrate the terrible toll that war crimes take on the populations they affect. International accountability faces difficult obstacles because of the persistent nature of these violations and the participation of both state and non-state actors.

Prosecution of war crimes is in progress, although there are many challenges. Political factors frequently impede the process since strong states may put their strategic interests ahead of upholding human rights. Furthermore, it is challenging to hold offenders accountable due to the absence of international collaboration and the difficulties in obtaining jurisdiction and proof. Even when there is a desire to bring charges, justice may be compromised if there is no coordinated strategy or political will to back these measures.



Reports of bombings directed at civilian targets and the use of illegal weaponry, for example, underscore the seriousness of the crimes in conflicts such as those in Ukraine. Similarly, in Syria, there is evidence of the use of chemical weapons and indiscriminate attacks on civilians over a protracted period of conflict. The Rohingya population of Myanmar has been subjected to the most heinous human rights violations in the form of crimes of mass killing, sexual violence, and forced displacement. The ongoing war in Yemen, with international and domestic actors involved,

has led to the deaths of thousands of civilians and humanitarian disasters.

These circumstances clearly underscore the critical need for international cooperation and commitment to the cause of justice and accountability on behalf of the affected communities. However, without a singular effort by international stakeholders and the removal of political hindrances, the pursuit of justice for war crimes is going to remain an uphill task.

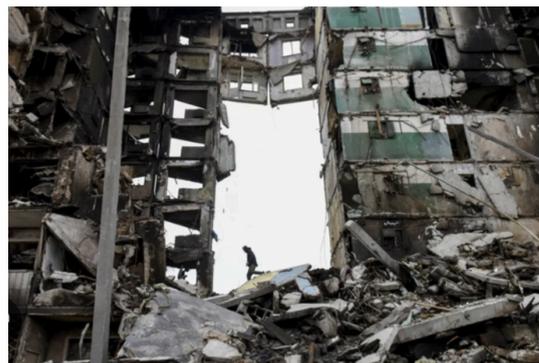
United States. The accusations and investigations of the U.S. into war crimes for over many decades have centered more on the military operations carried out in Iraq, Afghanistan, and Syria. These allegations usually stem from collateral damage that happened due to aerial bombardments, mistreatment of detainees, and breaches of humanitarian law in concern with civilian areas during military operations. For example, drone strikes on Afghanistan and Pakistan Civilian Deaths accounted for a lot of outcry internationally due to reports indicating that women and children died owing to "target misidentification." The most unfortunate examples include the shocking revelation of abuses at Abu Ghraib prison in Iraq, involving torture, sexual assault, and humiliation of detainees carried out by the U.S. military. Despite those allegations, the U.S. is subject to criticism for limited mechanisms of accountability. By investigating a few cases internally most would end up with no verdict or prosecution resulting in light punishment for the convicted. The United States has also not budged in refusing to acknowledge the competence of the International Criminal Court in investigations, thus complicating the pursuit of accountability through international legal mechanisms. This has been a source of disputes with human rights campaigns and other countries whose mandate is to push for justice in war crimes cases. It highlights the position of powerful nations as clearly as possible in dealing with violations the world-society has alleged to have been committed.

Brazil. Even though Brazil is not involved in any war with other countries, there are still serious allegations of human violations, especially against indigenous peoples in the forest-covered parts of the country. The increase of agricultural and mining extractive activities approved, either tacitly or directly by local authorities, has resulted in tremendous dislocation, violence, and environmental degradation. Reports of indigenous leaders being the subject of attack, most of them killed for fighting for their land and community, had also been documented. Cases of abuses that were associated with the military police of Brazil cannot be ignored. There are numerous accounts that furnish evidence of the excessive use of force, killings done extrajudicially, and other plain violations of human rights that occurred during

operations that were supposed to rid the country of crime or protect its resources. International human rights organizations have raised their voices to these methods, but it would be presumptuous to see any earnest action against such practices in the local judicial setting in view of the absence of formal charges or classifications of these acts as war crimes. This perpetuates the vicious culture of impunity and, with political and economic pressures, will continue to add miseries to these voided and vulnerable populations.

South Sudan. Despite the initiatives that have been put in place by different actors to stabilize the region, South Sudan is still burned with gross human rights abuses and war crimes. Since its independence in 2011, mass killings, sexual violence, and displacement are among the serious offenses that have characterized the country's current humanitarian situation. Recruitment and usage of child soldiers prevail, with thousands of such children across factions tied to fighting. Many of those atrocities referred to above have been investigated by international organizations including the United Nations, but there's nothing much concerning accountability. Peace missions, as well as investigations, were often probed by access limitations to the zones of conflict and local authorities' resistances. Consequently, plans to develop transitional justice mechanisms like hybrid courts have faced slow progress due to political instability and lack of cooperation from relevant stakeholders. Violence and impunity thus continue in a cycle that warrants international coordinated action to address issues of war crimes and the light of vulnerable people in South Sudan.

Russia. Russia has faced severe accusations of war crimes, especially during its military exercises in Ukraine. Since the invasion, however, several organizations including the UN have made reports of the targeted attacks on civilians including hospitals, schools and residential buildings. Among the most serious reported offenses are the Bucha massacre, in which civilians were said to have been killed, and the abduction of Ukrainian children to Russia. Russia rejects this evidence despite increasing evidence and has further pulled out of international treaties such as the Rome Statute which makes accountability through the ICC almost impossible.



China. Despite the fact that China is not presently involved in a conventional medium-intensity armed conflict, the country is said to have committed crimes against humanity and may even be considering the allegation of committing war crimes, in relation to her policies towards the Muslim Uighur minority in Xinjiang. Reports suggest that forced indoctrination of at least a million Uyghurs into what the authorities in Beijing refer to as ‘vocational training centers’ has been conducted. Such activities suggest indoctrination that includes but is not limited to forced labor, unnatural interstate relations in families, children separation from their free birth parents abuse and amass international concerns. Being a permanent member of the UN Security Council, China is an impediment to these actions because of the degree of power it commands in international relations and means of enforcement of international responsibilities.

United Kingdom. The UK, which has actively participated in Iraq and Afghanistan military conflicts, has recently been embroiled in a row which accuses them of committing war crimes. Some investigations have been substantiated with accusations to British forces for unlawful killing and mishandling of the captured enemies. It has also been noticed that the newly circulated United Kingdom’s 2021 Overseas Operations Act, which set time limits for the prosecution of British service personnel, has come under fire from advocates for human rights, who state that this hampers the process of making the perpetrators of torture accountable. Regardless of the fact that the UK tries to paint itself as compliant with international law these allegations provide a glimpse of the struggle of being accountable while also protecting one’s soldiers from being prosecuted.

IV. UN Action and Resolutions

UN Solutions to War Crimes

- Rome Statute of 1998: The Statute established the International Criminal Court to prosecute individuals for war crimes, genocide, and crimes against humanity.
- Geneva Conventions of 1949: They establish regulations for the protection of civilians and prisoners of war. They form the foundation of international humanitarian law.
- United Nations Security Council Resolutions:
- Resolution 827 (1993): Established the tribunal to prosecute war crimes committed in the

former Yugoslavia.

- Resolution 955, in 1994, which made provision for the establishment of the tribunal to try war crimes committed during the genocide in Rwanda.

In 2011, Resolution 1970 referred the situation in Libya to the ICC. It led to investigations into war crimes committed during the civil war in Libya.

- Human Rights Council Investigations: Carries out investigations into war crimes in countries such as Syria, Myanmar, and Ukraine, and publishes reports to promote accountability.

These UN peacekeepers are also sent to other countries like South Sudan and the Democratic Republic of the Congo. Their duties also include the protection of civilians and bringing an end to heinous acts.

V. Essential Questions

1. What are the general definitions of war crimes under international law? What legal rules generally apply to those crimes?
2. In what way have the recent conflicts in Syria, Ukraine, and South Sudan involved war crimes?
3. What is the role of the International Criminal Court in prosecuting war crimes, and what have been some of the challenges?
4. How effective have UN Security Council resolutions been in preventing and responding to war crimes?
5. What can countries and the world do to hold people accountable for war crimes?
6. In your point of view, do humanitarian interventions increase or decrease the incidences of war crimes in battlefields?
7. What should states do to protect civilians from war crimes that are committed within their own territories?
8. How might NGOs be useful in the documentation and reporting of war crimes?
9. What is the effect of political interests in the application of international law pertaining to war crimes?
10. How can teaching and spreading knowledge help put a stop to future war crimes?

VI. Conclusion

War crimes are viewed as one of the most serious international humanitarian law violations that, throughout many years, remain constant in wars. Those important laws, like the Geneva Conventions and the Rome Statute, were created to set boundaries for such criminal acts and modify the punishment. Even with these efforts, the problem of war crimes remains large today, especially in conflicts such as those in Syria, South Sudan, and Ukraine, where regular people often suffer most from the violence.

The United Nations has been involved in developing courts to prosecute those responsible for war crimes and ensure that they are brought to justice. However, it is a very long and difficult road ahead, filled with political issues, lack of cooperation, and only partial enforcement of international laws.

These are some of the real challenges that the international community is facing today, hence the discussions at this conference are very important. Delegates, you are expected to share good ways of stopping and punishing war crimes, protecting civilians, and accountability for those responsible, this will help to create a more just and peaceful world.

VII. References

Penrose, M. M. (2024, September 9). War crime | History, Examples, & International Rules.

Encyclopedia Britannica. <https://www.britannica.com/topic/war-crime>

War crimes. (n.d.). <https://www.interpol.int/Crimes/War-crimes>

War Crimes - TRIAL International. (2021, March 19). TRIAL International.

<https://trialinternational.org/topics-post/war-crimes/>

War crime. (n.d.). LII / Legal Information Institute.
https://www.law.cornell.edu/wex/war_crime

American Bar Association. (n.d.). War Crimes: History, Basic Concepts, and Structures.
Recuperado de [https://www.americanbar.org#8203;:contentReference\[oaicite:0\]{index=0}](https://www.americanbar.org#8203;:contentReference[oaicite:0]{index=0}).

International Committee of the Red Cross (ICRC). (n.d.). Implementing international humanitarian law: Punishing War Crimes. Retrieved on November 2nd, from:
[https://www.icrc.org#8203;:contentReference\[oaicite:1\]{index=1}](https://www.icrc.org#8203;:contentReference[oaicite:1]{index=1}).

United Nations Office on Genocide Prevention and the Responsibility to Protect. (n.d.). War Crimes. Retrieved on November 2nd, from:
[https://www.un.org/en/genocideprevention/war-crimes.shtml#8203;:contentReference\[oaicite:2\]{index=2}](https://www.un.org/en/genocideprevention/war-crimes.shtml#8203;:contentReference[oaicite:2]{index=2}).