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Preamble:

The States Parties to this Statute,

Mindful that despite the best efforts of the international community to prevent Genocide and Crimes against Humanity, these atrocities have persisted in our era ¹,

Recalling that in recent history, millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of Humanity ²,

Recognizing that such grave crimes threaten the peace, security and well being of the world ³,

Reaffirming that it is the duty of each State to protect its populations from Genocide and Crimes against Humanity ⁴,

Determined that it is also the duty of the international community with respect to the Purposes and Principles of the Charter of the United Nations to prevent widespread Genocide and Crimes against Humanity when national authorities manifestly fail to protect their populations ⁵,

Emphasizing that the international community should always strive to use diplomatic, humanitarian and other peaceful means of preventing Genocide and Crimes against Humanity first, before resorting to actions taken under this Statute ⁶,

Determined that to effectively halt and prevent Genocide and Crimes against Humanity in future generations, the United Nations must possess a competent and well trained peacekeeping service capable of rapid deployment to areas of concern ⁷,

Affirming that the decision to employ this service is one of grave consequence to the international community and should only be made when the alternative is to allow Genocide or Crimes against Humanity to occur or continue,

Resolved that to ensure that the call of “never again” made by the ‘Convention on the Prevention and Punishment of the Crime of Genocide of 1948’ be carried out,

Have agreed as follows:

Article I - Establishment, Purpose and Justification of United Nations Emergency Peace Service

The United Nations Emergency Peace Service

1. The United Nations Emergency Peace Service (“UNEPS”) is hereby established. It shall be a permanent institution within the Headquarters of the United Nations and be organized and controlled by officials and provisions outlined in Articles II - IV.
2. The purpose of UNEPS will be to halt and/or prevent Genocide and Crimes against Humanity through the use of a competent and well maintained peacekeeping service comprised of citizens of Member Nations acting in their individual capacity as members of UNEPS. The use of UNEPS will be limited to those situations where:
 - (a) A Member Nation has requested its presence and a finding that Genocide or Crimes against Humanity are occurring or are imminent has been made through the appropriate mechanisms outlined in Article X.
 - (b) A finding that Genocide or Crimes against Humanity are occurring or are imminent has been made through the appropriate mechanisms and authorization for the use of UNEPS absent national consent has been granted pursuant to mechanisms outlined in Article X.
3. It is the express intent of this Statute that UNEPS operations be limited to those of a short duration and only for the immediate halting or prevention of Genocide or Crimes against Humanity. The term ‘short duration’ for the purposes of UNEPS will mean operations that last up to six months. UNEPS operations shall exceed six months **only** under the most extraordinary circumstances and only with express authorization from both the Secretary General and Security Council.

Definition of the Terms of “Genocide” and “Crimes against Humanity” for the purposes of UNEPS

4. The term “Genocide” for the purposes of UNEPS will be the term as defined in the Convention for the Prevention and Punishment of the Crime of Genocide of 1948 and reaffirmed by the Rome Statute of the International Criminal Court of 2002.⁸
5. The term “Crimes against Humanity” for the purposes of UNEPS incorporates the definition of Crimes against Humanity used in Article 7 of the Rome Statute of the International Criminal Court of 2002.⁹

[OR incorporate ICC Definition, except the catch all “act” in Article 7 (1)(k).]

Justification

6. The parties to this Statute recognize the formation of UNEPS to be a necessary action in order to prevent and halt Genocide and Crimes against Humanity.
7. The formation of UNEPS is firmly grounded in prevailing principles of international law based in the international community's consistent and unanimous abhorrence of Genocide and Crimes against Humanity .
8. The Genocide Convention of 1948 has received overwhelming consent since its entry into force in 1951 and the prohibition and condemnation of Genocide that has developed since has become an inviolable principle of international law.¹⁰
9. The concept of Crimes against Humanity has developed through the refinement of international humanitarian law to extend protections to civilian populations in the Fourth Geneva Convention of 1949 and Additional Protocols of 1977.¹¹ Also, Crimes against Humanity have been further declared as grave violations of international law with the recent creation of the International Tribunals for the Former Yugoslavia and Rwanda and the International Criminal Court.¹² Due to this, within the international community, acts constituting Crimes against Humanity as understood by this Statute are never permissible under international law.
10. With the prohibition of acts constituting Genocide and Crimes against Humanity now enshrined as principles of international law, the United Nations has adopted the principle that States and the international community as a whole, have a responsibility to protect their populations from Genocide and Crimes against Humanity.¹³
11. It is with this responsibility and justification in mind, that this Statute creates UNEPS as a Peace Service capable of halting and preventing Genocide and Crimes against Humanity and holds that the international legal justification for UNEPS is based on its only being used for that express and noble purpose.

Article II – List of Senior Leadership Positions within UNEPS

Section A: Assistant Secretary General for UNEPS within the UN Department of Peacekeeping Office (DPKO). (ASEPS)

Section B: Commander, UNEPS (COMDR)

Section C: Deputy Commander, UNEPS (DCOM)

Section D: Three Peace Service Unit Commanders (OPCOM)

Article III – Functions and Responsibilities of the
Office of the Assistant Secretary General for UNEPS and
Relationships with other organizations within the United Nations

Section A: Assistant Secretary General for UNEPS within the Department of Peacekeeping Operations (DPKO).

1. The United Nations Emergency Peace Services (UNEPS) is hereby established. It shall be a permanent institution and the leadership thereof shall be answerable to the United Nations Secretary-General (SG) and directed by the office of the Assistant-Secretary for the United Nations Emergency Peace Service (ASEPS). The functioning of the unit shall be governed by the provisions of this Statute.

Section B: Relationship with Other Organizations

2. UNEPS shall be within the United Nations Department of Peacekeeping (DPKO). It shall further maintain a continual, cooperative, and mutually beneficial relationship with the Department of Peace-Keeping Operations (DPKO), the Humanitarian Air Service (UNHAS), the World Food Program (WFP), and the Humanitarian Response Depot (UNHRD). Cooperation, asset-sharing, and mission priority may be directed or compelled by order of the SG.

Article IV – Functions and Responsibilities of the
UNEPS Commander, Deputy Commander and
Peace Service Unit Commanders in the Office of the
Assistant Secretary General for UNEPS

Section A: Commander, UNEPS

1. Ultimate command authority over UNEPS shall lay with a single commander (COMDR) co-located at UN Headquarters in New York City, USA. COMDR shall serve as the political-military interface with USEPS and be responsible for operational decision-making and UN policy implementation.

Section B: Deputy Commander, UNEPS

2. A deputy commander (DCOMDR) shall be immediately subordinate to COMDR and second in command of UNEPS. DCOMDR shall be located at the United Nations Logistical Base in Brandisi, Italy (UNLB) and be responsible for developing standard operating procedures, training UNEPS staff and unit commanders, and carrying out operational preparations for deployment. During deployments, the DCOMDR headquarters at UNLB shall serve as the deployment operations center (DOC).

Section C: Three Peace Service Unit Commanders

3. An operational commander (OPCOM) shall be in command of each peace service unit (PSU), answerable to COMDR and DCOMDR. Each OPCOM headquarters shall be co-located with its PSU and responsible for training PSU recruits, execution of DOC operations orders, and tactical employment of its PSU pursuant to its DOC mission during deployments.

Article V: Senior Leadership Selection

A. Selection of the Assistant Secretary General of the United Nations Emergency Peace Service

1. The Secretary General shall nominate an individual in consultation with the Under Secretary General for the Department of Peacekeeping for the position of Assistant Secretary General of the United Nations Emergency Peace Service (ASEPS) and forward the name to both the General Assembly and Security Council simultaneously. Upon a 2/3 Absolute Majority of the General Assembly and an Absolute Majority of the Security Council, the appointed individual shall be confirmed as the ASEPS. The ASEPS shall serve for a term of four years, non-renewable.

B. Selection of Commander and Deputy Commander, UNEPS

Titles and Duration of Office

2. The selection of the Commanding Officer, United Nations Peace Service (COMDR) and Deputy Commander, United Nations Peace Service (DCOMDR) will be subject to the provisions of this Article. The COMDR elected under this Article will serve for a term of five years, renewable once. The DCOMDR elected under this Article will serve for a period of 4 years, renewable once. Renewal of terms for Commander or Deputy shall be carried out by the same United Nations bodies responsible for their election in paragraph 8.

At the discretion of the ASEPS with approval of the Secretary General, the Terms of the Commander and Deputy may be temporarily extended due to ongoing Peacekeeping Operations.

Qualifications and Restrictions

3. Under no circumstances will the Commander and Deputy be of the same nationality and Member Nations are strongly encouraged to ensure the election of a Commander and Deputy from two distinct regions, as understood in Paragraph 2.

4. Each Candidate for the office of Commander and Deputy must be a highly experienced military officer with extensive experience in the following areas: Peacekeeping Operations and Low Intensity Conflict, Joint Operations with foreign militaries, the application of International Humanitarian Law to the execution of military operations, Humanitarian Operations and must speak at least two of the official languages of the United Nations.

{ The position of Commander may not be filled by an officer from any of the Permanent Members of the U.N. Security Council }

5. Where this Article authorizes a Member Nation or UN Official to nominate a candidate for the position of Commander or Deputy Commander, that nomination must be accompanied with a certified statement which outlines how the candidate meets the qualifications discussed in Paragraph 3.¹⁴

Clarification of United Nations Regions for Purposes of Selection

6. For Purposes of this Article, the term United Nations Regions will refer to:

the seven macro regions: Africa, Asia, Europe, Latin America and Caribbean, Near East, North America, South Pacific.¹⁵

OR

{the five macro regions created by the United Nations Statistics Division which are: the Americas, Africa, Europe, Asia and Oceania. }¹⁶

OR

the eight macro regions: North America, Latin America, Western Europe, Africa, Middle East and South Asia, Southeast Asia and Pacific and Far East. }¹⁷

Selection Process

7. The process outlined in Paragraph 8 shall dictate the first election of both Commander and Deputy. All subsequent elections for the position of Deputy shall follow the same procedures outlined for the selection of Commander. All subsequent elections for Commander and Deputy will be staggered by one or two years following the duration of office timelines outlined in Paragraph 1.

8. Each Member Nation may submit one candidate for the position of Commander to the Secretary General (SG) for consideration. Upon compilation of all submitted candidates, the SG will open the election of the Commander to the General Assembly and Security Council. The first candidate who receives an Absolute 2/3 Majority vote in the GA and an Absolute 2/3 Majority vote in the SC is elected Commander. Immediately following the election of the Commander, a subsequent election will be held with the remaining nominated list for the position of Deputy Commander. The first individual to receive 2/3 Absolute Majority vote in the GA and Absolute 2/3 Majority vote in the SC is elected the Deputy.¹⁸

OR

{ *“Security Council and Secretary General/General Assembly Ratification Option”*

Each Member of the Security Council (Permanent and non-permanent) must submit three candidates for the position of Commander. Only one candidate may be from the “Region” of which that Member is from. From this list of candidates, the Secretary General acting in an independent capacity selects 10 candidates that will then be voted upon simultaneously by the General Assembly and Security Council. The first candidate who receives a 2/3 Majority vote in the GA and a 2/3 Absolute Majority in the SC is elected Commander. A second election will be held following the same process for the election of the Deputy Commander.

OR

“Secretary General and GA Ratification Option”

The Secretary General acting in his independent capacity selects 15 candidates for the position of Commander. These 15 candidates are voted upon by the General Assembly and the candidate with the highest vote and a minimum of a 2/3 majority in the General Assembly is elected Commander. A second election will be held following the same process for the election of the Deputy Commander. The SG is authorized to consult with any entity of the United Nations he deems necessary in making the initial list of 15 candidates.

OR

“Secretary General and UN Security Council Ratification Option”

The Secretary General acting in his independent capacity selects 15 candidates for the position of Commander. These 15 candidates are voted upon by the Security Council and the candidate with a simple majority vote is elected the Commander. The Security Council then votes

separately from the remaining candidates to select the Deputy by a simple majority. The SG is authorized to consult with any entity of the United Nations he deems necessary in making the initial list of 15 candidates. }

Impeachment

9. The impeachment of the Commander or Deputy of UNEPS shall first require a finding by the SG that the official in question has committed an act or acts of such a serious nature that they have harmed the mission and reputation of the United Nations. Upon such a finding, the General Assembly and Security Council must ratify the SG's impeachment finding by a 2/3 vote in each body.

C. Selection of Peace Service Unit Commanders

Title and Duration of Office

10. Each of the Three Peace Service Units outlined in Article II will have a Peace Service Unit Commander. Each Peace Service Unit Commander will serve for a term of four years, renewable once. For the first three Peace Unit Commanders selected, 1 Commander will serve a term of 6 years, 1 Commander a term of 4 years and 1 Commander a term of 3 years, before renewal is required. The determination of which Peace Unit Commander will serve which initial term will drawn by lot. All other subsequent selections of Peace Service Unit Commanders to fill vacancies shall follow the procedures of this Article.

11. Renewal of a sitting Peace Unit Commander's Term shall be carried out by a request by the Commander, UNEPS that the Peace Unit Commander be offered another term and subsequent approval of the second term by the Assistant Secretary General of UNEPS.

Qualifications and Restrictions

12. A Peace Unit Commander may not be of the same nationality as the Commander who nominates him or her as a candidate.

13. The Commander is strongly encouraged to nominate Peace Unit Commander Candidates from varying regions, diverse ethnic backgrounds and different genders.

14. Peace Unit Commander Candidates must have completed a minimum of two years of Battalion Level Command or higher (or its equivalent) in a Member Nation military within 10 years of his or her selection by the Commander as a Peace Unit Commander candidate.
15. Peace Unit Commander Candidates must possess experience in the command of Humanitarian Missions and Peacekeeping Operations. Furthermore, all Peace Unit Commander Candidates must speak at least two of the official languages of the United Nations.
16. Only one sitting Peace Unit Commander at any time may be from a Permanent Member Nation of the UN Security Council.

Selection Process

17. The Commander and Deputy will jointly nominate three candidates for each vacancy to the SG. Only 1 candidate from each vacancy may be from the same "region" as the Commander. There are no region restrictions based upon the nationality of the Deputy. The Commander and Deputy must submit a written finding outlining how each candidate meets the basic qualifications outlined in Paragraphs 4 and 5 of this Article.
18. Following nomination, the SG will direct the ratification of one candidate to fill the vacancy by means of the same ratification process outlined in paragraph 8 of this Article.¹⁹

Removal

19. A Peace Unit Commander may be removed from his position at any time during his term by a finding by Commander, UNEPS, that is ratified by the SG, that the Peace Unit Commander has committed an act or acts that have brought serious discredit and harm to the mission and reputation of the United Nations.

Article VI – UNEPS Headquarters Size and Location

UNEPS Headquarters shall be located at the United Nations Logistical Base in Brindisi, Italy (UNLB). The size and composition of the headquarters staff shall be determined by COMDR pursuant to the needs of UNEPS and in accordance with the budgetary constraints under Article XI of this Statute, or as the UN may otherwise direct. At a minimum, UNEPS Headquarters shall have a Chief of Staff (COSHQ) and individual officers assigned to, and responsible solely for, each of the following functions:

1. Personnel (PAX-O)
2. Intelligence (INT-O)
3. Operations (OPS-O)
4. Logistics (LOG-O)
5. Public Affairs (PAF-O)
6. Communications (COM-O)
7. Training & Doctrine (TND-O)
8. Recruitment (REC-O)

Article VII – Peace Service Units

Size, Composition, Organization, and Locations

Section A: Size & Composition

Each PSU will consist of approximately 6,000 personnel, however the size and composition of the PSU shall be determined by COMDR and the headquarters staff pursuant to the needs of UNEPS and in accordance with the budgetary constraints under Article XI of this Statute, or as the UN may otherwise direct. It is intended that each PSU will be fully self-sufficient and capable of mechanized and motorized light infantry operations. Appendix B provides a general proposal for PSU composition.

Section B: Organization & Locations

UNEPS will consist of three PSUs, strategically located to enable worldwide rapid response and UN interoperability. Co-location of PSUs with United Nations Humanitarian Response Depots (UNHRD) will maximize UN logistical assets and minimize cost, as each UNHRD is within an airport complex and close to ports and national roads, thus fully capable of multi-modal transportation and delivery of cargo anywhere in the world within 24 to 48 hours. Therefore, each PSU shall be stationed at a current UNHRD as follows (See also, Appendix C):

1. PSU-West: Panama City, Panama
2. PSU-Central: Brindisi, Italy
3. PSU-East: Subang, Malaysia

While not deployed, training, or otherwise preoccupied, it is intended that the OPCOM shall offer the use of PSU assets and personnel as needed to support the traditional UNHRD mission. As per Article II, Section 3, cooperation, asset-sharing, and mission priority may be directed or compelled by order of the SG.

**Article VIII - Requirements for UNEPS Service: Nationality Limitations;
Recruiting Methodology and Terms of Service**

A. Baseline Requirements for entry into UNEPS Service

1. To enter service with the United Nations Emergency Peace Service at any level or rank, a citizen of a Member Nation must meet the following minimum requirements:

a. Fluency (as determined by current United Nations standards) in two languages with at least one of them being one of the six official languages of the United Nations: Arabic, Chinese, English, French, Russian, Spanish.

b. a citizen of a UN Member Nation *{and signatory to this Statute}*

c. a Bachelors Degree in any discipline. This requirement is waivable for up to 30% of all UNEPS personnel, subject to conditions and procedures to be outlined by the Commander, UNEPS. *{Illustrative Example: 2 years post secondary education in any discipline OR 5 years satisfactory service within a Member Nation Military Service or Law Enforcement Agency}*

d. a minimum passing score (to be established) on a Language Aptitude Test to be designed at the discretion of Commander, UNEPS.

e. willingness to submit to background screening requirements as to be established by the Commander, UNEPS.

2. The requirements enumerated above are to be considered a minimum standard and do not limit the Commander, UNEPS from creating further reasonable requirements as he/she sees fit when establishing UNEPS. *{Illustrative Example: Requiring proficiency in certain official UN Languages based on which Peace Service Unit an individual is assigned to}*

B. Nationality Limitations for Peace Service Units

Nationality Limitations within UNEPS Headquarters and Staff

3. Except for those limitations outlined in Article V: Senior Leadership Selection, there shall be no limitations on the nationality of the staff and personnel assigned to the direct support of UNEPS Headquarters and Commander, UNEPS. The hiring and management of that staff is at the complete discretion of the Commander, UNEPS and the Assistant Secretary General for UNEPS in DPKO.

Nationality Limitations within UNEPS Peace Service Units

4. The Peace Service Units, as outlined in Article VII, are to be delineated as Peace Service Unit Central, Peace Service Unit East and Peace Service Unit West. The following nationality requirements for those in service to UNEPS at the Peace Service Unit level will be imposed on all three Peace Service Units regardless of location:

a. It is the intent of this statute that each Peace Service Unit possesses the maximum amount of diversity in terms of nationality that is feasible. The recruiting process of UNEPS shall strive to ensure a minimum of 40 soldiers from every Member Nation serving at the Peace Service Unit level.

b. No Member Nation may comprise more than 10% of any single Peace Service Unit or more than 5% of all personnel serving at the Peace Service Unit level.

and

c. The total percentage of personnel serving at the Peace Service Unit level from any single Permanent Security Council Member Nations may not exceed 5%. *{OR STRIKE THIS PROVISION}*

C. Recruiting Methodology

5. The recruiting of qualified individuals capable of accomplishing the sensitive tasks required of UNEPS by this Statute shall be conducted with the overall intent of ensuring UNEPS represents a full and accurate reflection of the international community in terms of race, religion, gender and nationality. Specific emphasis shall be placed to ensure that UNEPS recruiting methods follow the intent and spirit of UN Resolution 1325 as it relates to gender relations within UNEPS. Such a composition will only add to UNEPS' effectiveness as an organization and legitimacy within the global community.

6. Recruitment of UNEPS on an individual basis.

a. Recruiting for UNEPS shall be done on a strictly individual basis. Any citizen of a UN Member Nation meeting the basic requirements outlined in paragraph 1 of this Article may volunteer for service within the UNEPS. The specific details of where and how an individual must register to volunteer for service will be proscribed by Commander, UNEPS upon his selection for office by the United Nations. *{Any Member Nation may transmit to the Assistant Secretary General for UNEPS through proper diplomatic channels a "protest" against any one of its citizens' application for UNEPS service. Such a protest may only be made for cause and must be accompanied with a certified written statement outlining the reason or reasons for such protest. Upon receipt of the protest,*

the final decision to allow any Member Nation citizen into UNEPS still rests with Commander, UNEPS}

OR

{Individual Recruiting with optional Member Nation screening of prospective UNEPS Recruits

a. Each Member UN Nation may screen any of its citizens wishing to volunteer for service with UNEPS. No Member Nation citizen may begin the application for process for UNEPS Service without notifying its nation through whatever channels the Member Nation establishes for such notification. Furthermore if a Member Nation, through its screening process determines a prospective recruit is unfit for service within UNEPS, that citizen may not join UNEPS.

b. If a Member Nation fails to establish any system or process for screening its citizens for service within UNEPS and also fails to register and properly liaise that system with UNEPS through its representative at the United Nations, then citizens from that nation are not subject to the requirements of this paragraph. }

D. Terms of Service

7. The initial term of service for those entering UNEPS upon its formation shall be no less than five years and total service within UNEPS shall be no longer than 10 years. The Commander, UNEPS remains full discretion to offer longer terms of service to those entering UNEPS into key leadership or staff support positions. Removal and any bar from re-enlistment from UNEPS will be subject to the procedures of internal regulation to be developed under Article IX.

E. Oath of Office

DRAFT:

8. "I solemnly affirm to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the United Nations Emergency Peace Service, to discharge those functions and regulate my conduct with the interest of the United Nations to prevent and/or halt Genocide and Crimes against Humanity, to obey the lawful orders of the officers appointed over me in the United Nations Emergency Peace Service and not to seek or accept instructions in respect to the performance of my duties from any government or other authority external to the United Nations."

Article IX – Process for the Formation of UNEPS Doctrine

Section A: Internal Regulations and Codes of Conduct

All UNEPS personnel are governed by UN Staff Regulations and Rules as well as the DPKO Code of Personal Conduct. COMDR is authority to develop additional internal regulations and a code of conduct UNEPS as necessary to ensure the special discipline required of a cohesive military unit. These shall be in compliance with the superseding UN and DPKO regulations, and shall require approval of the Secretary General. UNEPS personnel will also be subject to oversight by the United Nations Conduct and Discipline Unit (CDU). However, CDU will have no authority to direct commanders to take or halt in any course of action. Instead reports shall be issued to the office of the Secretary General, who shall have discretion as to what if any discipline measure is necessary.

Section B: International Conventions

All International Conventions on the Laws of War are hereby incorporated into the Code of Military Justice government UNEPS commanders and personnel. These include:

- First Geneva Convention (1864) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field
- Second Geneva Convention (1906) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea
- Third Geneva Convention (1929) relative to the Treatment of Prisoners of War
- Fourth Geneva Convention (1949) relative to the Protection of Civilian Persons in Time of War
- Protocol I (1977) relating to the Protection of Victims of International Armed Conflicts
- Protocol II (1977) relating to the Protection of Victims of Non-International Armed Conflicts
- Protocol III (2005) relating to the Adoption of an Additional Distinctive Emblem (for medical services)

Section C: Military Justice

The Code of Military Justice shall be drafted by the COMDR and must be approved by the General Assembly. UNEPS shall not have an independent court system. Instead, investigations, justice and discipline for violations shall be managed according to the following scheme:

1. Category A – Major Crimes on UNEPS Installations or during UNEPS Deployment.

Included within this class are illegal arms trading, sexual abuse or assault, rape, major theft/fraud, embezzlement, manslaughter, murder, and all violations of the international laws of war. Category A violations shall be investigated by the UN Office of Internal Oversight Services (OIOS). The convening authority shall be the International Criminal Court and full due process shall be afforded to the accused. Punishments shall range from repatriation to life imprisonment in accordance with the ICC mandate.

2. Category B – Minor Infractions and Crimes Committed on UNEPS Installations.

All violations not listed in Category A fall within Category B, including but not limited to discrimination, sexual harassment, abuse of authority or subordinates, misuse of equipment, simple theft/ fraud, infractions of regulations, physical assault, use, possession or distribution of illegal narcotics, conflict of interest, waste or mismanagement of resources, fraud, bribery, corruption, forgery, and all other conduct that could bring the UN into disrepute. Category B violations shall be investigated by the UN Special Investigation Unit (SIU) and Military Police. The convening authority shall be the OPCOM of the installation upon which the violation occurs. The accused shall not be afforded due process. Rather summary judgment shall be issued upon the findings of the OPCOM and punishment shall be issued at his or her discretion. The range of administrative punishment shall not include imprisonment, but rather shall be limited to loss of half-pay for 60 days, extra duty for 90 days, loss of privileges for 120 days, and separation from UNEPS.

3. Class C Violations –Crimes Committed in the Territorial Jurisdiction of a Host Nation.

Violations of the laws of the host nation (i.e. Italy, Panama, or Malaysia) shall fall within the territorial jurisdiction of that state unless otherwise governed by a specific status of forces agreement or memorandum of understanding endorsed by the General Assembly. The respective OPCOM shall have the authority to institute additional Category B punishment and separation from UNEPS as deemed appropriate.

ARTICLE X - Conditions Appropriate for, and the Procedures for Authorization of the use of UNEPS.

A. Overview

1. The Authorization for the use of UNEPS will consist of two essential requirements, a Finding and an Authorization:

A. A finding must be made, subject to the requirements listed in this Article that the conditions appropriate for the use of UNEPS are present in a specific and cognizable area.

B. That finding, as approved by the Secretary General must be transmitted to the appropriate United Nations body for final Authorization of the use of UNEPS subject to the procedures outlined in this Article.

B. Conditions appropriate for the use of UNEPS

Joint Finding of Genocide or Crimes against Humanity

2. Before any other procedures discussed in this Article can commence for the use of UNEPS, a finding must be made in writing jointly by the Assistant Secretary General for UNEPS, the Under-Secretary General for Peacekeeping Operations, and the Special Advisor to the Secretary General for the Prevention of Genocide (Special Advisor) and transmitted to the Secretary General that shows:

A. That either Genocide or Crimes against Humanity as defined by this Statute are occurring within a specific and cognizable area.

or

B. That the commission of an act or acts of Genocide or Crimes against Humanity as defined by this Statute are imminent and that alternative measures for prevention have a substantial likelihood of failure.

3. Upon receipt of such a finding, the Secretary General must either ratify the finding and transmit it to the appropriate body of the United Nations for Authorization as discussed in the latter sections of this Article {General Assembly, Security Council} or may veto the finding as insufficient for further consideration.

4. The Secretary General shall also have the ability to fulfill this finding requirement by means of a joint finding by the Secretary General and the Special Advisor which makes the same findings as required in Paragraph 1 and is then transmitted to the appropriate body of the United Nations for Authorization as discussed in the latter sections of this Article. {General Assembly, Security Council}.

5. The Security Council, acting in its capacity under Chapter 7 of the UN Charter may also reach a finding which would satisfy the requirements of this section as will be discussed in Section D of this Article.

The Effect of Member Nation Consent to the use of UNEPS within its Territory

5. Any Member Nation may at any time request the use of UNEPS within its own sovereign territory for the prevention of Genocide or Crimes against Humanity. A Host Nation's consent however does not remove the requirement of a joint finding as discussed in Paragraph 1 of this Article. Member Nation consent however will drastically shorten the procedural requirements discussed in the next section.

C. Procedure for the Authorization of the use of UNEPS

Security Council Authorization Procedure

6. A valid finding submitted to and approved by the Secretary General under Section B of this Article shall be transmitted by the Secretary General to the Security Council for Authorization. It is the intent of this Statute that SG develop a process in which to keep the Security Council apprised of any potential finding of Genocide or Crimes against Humanity so that Security Council may be prepared for such a finding. Upon a successful transmission of such a finding, the Security Council must vote within 5 Calendar days to approve or disapprove the authorization for UNEPS. Upon successful authorization by a unanimous vote of the Permanent Members and a 2/3 overall majority of the remaining Members, the deployment of UNEPS to the area of concern may begin immediately. While a veto or "nay" vote from a Permanent Member will prevent Authorization, an abstention will not.

Limited Secretary General Authorization Procedure

7. In cases where the veto of only one Permanent Member of the United Nations prevents Authorization under Paragraph 6 of this Article and the remaining Permanent Members consent, the Secretary General may upon his own authority authorize the deployment of UNEPS to an area of concern for 90 days. The Security Council must vote again within 45 days to either authorize UNEPS use for an additional 90 days or recall UNEPS from the area of concern. A

vote to keep UNEPS within the area of concern for an additional 90 days will require unanimous consent.

Authorization for Use with Host Nation Consent

8. If a Member Nation requests and approves of the use of UNEPS within its territory and a proper finding under Section B of this Article has been made, then Authorization for the use of UNEPS shall be subject to the approval of a 2/3 Majority of the General Assembly. Upon a transmission of a proper finding to the General Assembly, the General Assembly must vote on the matter within 14 Calendar days.

9. Use of UNEPS with Host Nation Consent shall also be subject to the following limitations:

A. Under no circumstances will UNEPS be deployed for more than six months.

B. The Host Nation must draft and sign a document with the Assistant Secretary General for UNEPS outlining with clarity what UNEPS is asked and authorized to do within its territory.

C. In cases where appropriate, Regional Peacekeeping organizations should be utilized in concert with UNEPS.

D. Security Council Action under Chapter 7 of the UN Charter

10. The Security Council may, acting under its powers in Chapter 7 of the UN Charter authorize the use of UNEPS for six months, *sua sponte*, and without prior transmission of findings by the Secretary General or any other body of the United Nations. However the Security Council, when choosing to use UNEPS in this manner must also make a finding which satisfies the elements in Section B of this Article.

E. Secondary Uses of UNEPS (Non-Binding Statement of Intent)

11. It is the intent of the States Parties to this Statute that UNEPS be permitted with host nation consent to assist in limited humanitarian assistance operations within the regions that each Peace Service Unit is situated. These operations will be subject to conditions and limitations to be determined by the UNEPS leadership at a later date after the formation of UNEPS and only after the first Peace Service Units have been deemed ready for their primary purpose of preventing Genocide and Crimes against Humanity.

**ARTICLE X: Conditions Appropriate for, and the Procedures for the
Authorization of the use of UNEPS. (VERSION 2)**

A. Overview

1. The Authorization for the use of UNEPS will consist of two essential requirements, a Finding and an Authorization:

A. A finding must be made, subject to the requirements listed in this Article that the conditions appropriate for the use of UNEPS are present in a specific and cognizable area.

B. That finding, as approved by the Assistant Secretary General must be transmitted to the Secretary General for final Authorization of the use of UNEPS subject to the procedures outlined in this Article.

B. Finding Requirement

Methods for a valid Finding of Genocide or Crimes against Humanity

2. Before any other procedures discussed in this Article can commence for the use of UNEPS, a finding must be made in writing jointly by the Assistant Secretary General for UNEPS, the Under-Secretary General for Peacekeeping Operations, and the Special Advisor to the Secretary General for the Prevention of Genocide (Special Advisor) and transmitted to the Secretary General that shows:

A. That either Genocide or Crimes against Humanity as defined by this Statute are occurring within a specific and cognizable area.

or

B. That the commission of an act or acts of Genocide or Crimes against Humanity as defined by this Statute are imminent and that alternative measures for prevention have a substantial likelihood of failure.

3. Upon receipt of such a finding, the Secretary General must either ratify the finding and thus authorize the immediate deployment of UNEPS to the area of concern or veto the finding as insufficient for further consideration.

4. The Secretary General shall also have the ability to fulfill the finding requirement of Section B by means of a joint finding by the Secretary General and the Special Advisor which makes the same findings as required in Section B.

5. The Security Council, acting in its capacity under Chapter 7 of the UN Charter may also reach a finding which would satisfy the requirements of this section as will be discussed in Section D of this Article.

The Effect of Member Nation Consent to the use of UNEPS within its Territory

5. Any Member Nation may at any time request the use of UNEPS within its own sovereign territory for the prevention of Genocide or Crimes against Humanity. A Host Nation's consent however does not remove the requirement of a joint finding as discussed in Paragraph 1 of this Article. Member Nation consent however will drastically shorten the procedural requirements discussed in the next section.

C. Authority of the Security Council after the Secretary General's Authorization for the use of UNEPS

Security Council Recall Procedure

6. A valid finding submitted to and approved by the Secretary General under Section B of this Article shall authorize the deployment of UNEPS for 90 days. Upon Secretary General authorization, the Security Council may vote but no later than 60 days after authorization to recall UNEPS from the area of concern. A vote of recall must be a 2/3 Absolute Majority of all Security Council Members. If no vote occurs within 60 day of the Secretary General's authorization then UNEPS will be permitted to continue operations up to the six month statutory maximum. If a recall vote does occur, UNEPS shall begin withdraw from the area of concern within 30 days.

Authorization for Use with Host Nation Consent

8. If a Member Nation requests and approves of the use of UNEPS within its territory and a proper finding under Section B of this Article has been made, then Authorization for the use of UNEPS shall be subject to the approval of a 2/3 Majority of the General Assembly. Upon a transmission of a proper finding to the General Assembly, the General Assembly must vote on the matter within 14 Calendar days.

9. Use of UNEPS with Host Nation Consent shall also be subject to the following limitations:

A. Under no circumstances will UNEPS be deployed for more than six months.

B. The Host Nation must draft and sign a document with the Assistant Secretary General for UNEPS outlining with clarity what UNEPS is asked and authorized to do within its territory.

C. In cases where appropriate, Regional Peacekeeping organizations should be utilized in concert with UNEPS.

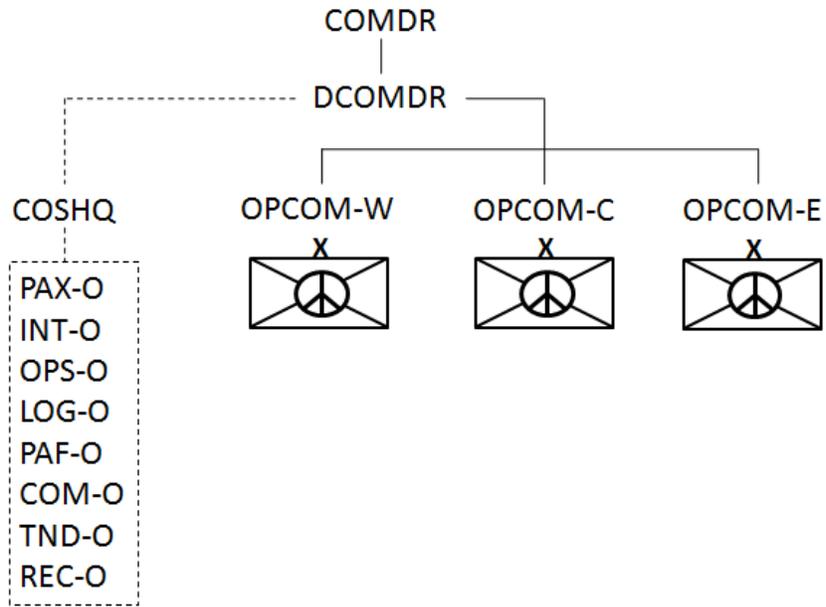
D. Security Council Action under Chapter 7 of the UN Charter

10. The Security Council may, acting under its powers in Chapter 7 of the UN Charter authorize the use of UNEPS for six months, *sua sponte*, and without prior transmission of findings by the Secretary General or any other body of the United Nations. In authorizing the use of UNEPS under Chapter 7, the Security Council must also make a factual finding which satisfies the requirements of Section B of this Article.

E. Secondary Uses of UNEPS (Non-Binding Statement of Intent)

11. It is the intent of the States Parties to this Statute that UNEPS be permitted with host nation consent to assist in limited humanitarian assistance operations within the regions that each Peace Service Unit is situated. These operations will be subject to conditions and limitations to be determined by the UNEPS leadership at a later date after the formation of UNEPS and only after the first Peace Service Units have been deemed ready for their primary purpose of preventing Genocide and Crimes against Humanity.

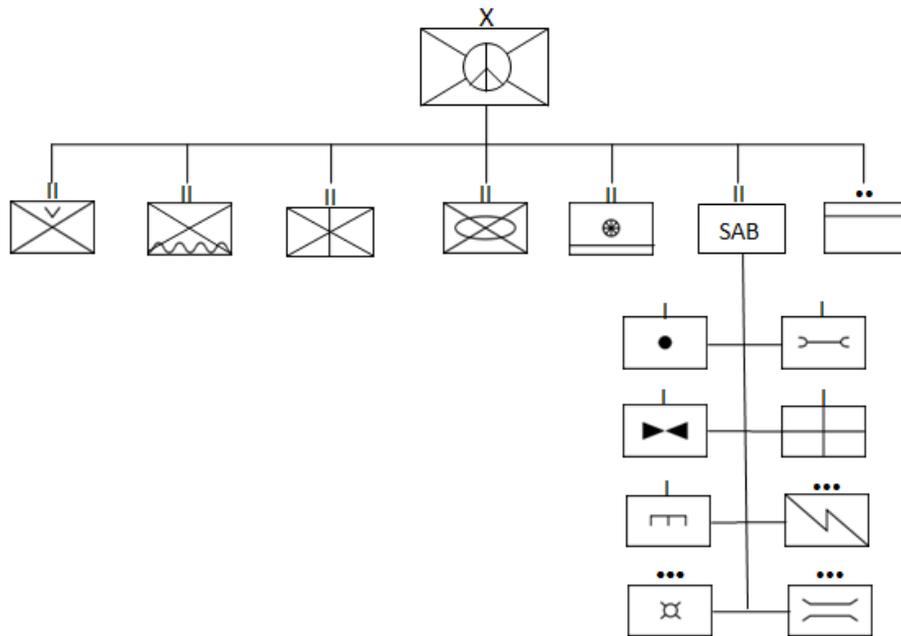
Appendix – A: UNEPS Structure



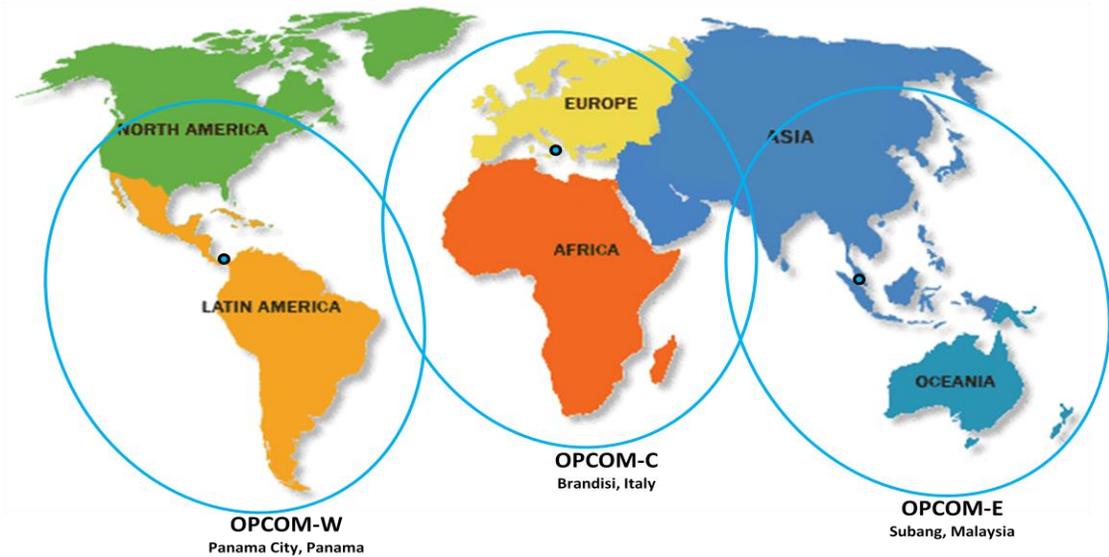
Appendix – B: PSU Composition

It is suggested that each PSU be composed of the following subordinate units:

- 3 x Prevention Battalions (Air Mobile; Amphibious; Motorized)
- 1 x Halt Battalion (Mechanized)
- 1 x Logistics Battalion
- 1 x Special Asset Battalion
- 1 x Headquarters Section



Appendix – C: PSU Locations and Areas of Responsibility



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- ¹ *Genocide Prevention Task Force, Blueprint for US Policy Makers*, 2008, Madeleine K. Albright, p. sv
- ² The Statute for the International Criminal Court (Rome Statute), Preamble
- ³ Id.
- ⁴ 2005 World Summit Outcome Document, UN General Assembly Resolution A/60/150, paragraphs 138 and 139
- ⁵ Id.
- ⁶ Id.
- ⁷ Founding Statement of the SHIRBRIG Peacekeeping Force, 1996
- ⁸ Convention for the Prevention and Punishment of the Crime of Genocide 1948; Rome Statute Article 6
- ⁹ Rome Statute, Article 7
- ¹⁰ Genocide Convention has 141 parties as recorded by the United Nations Treaty Depository at <http://treaties.un.org>
- ¹¹ The Fourth Geneva Convention of 1949 and Additional Protocols of 1977 as accessed at <http://www.icrc.org>
- ¹² UN Security Council Resolutions S/RES/955 (1994) and S/RES/827 (1993).
- ¹³ 2005 World Summit Outcome Document, supra note 4
- ¹⁴ Similar to process used for the selection of judges for the International Court of Justice, Statute of the International Court of Justice Articles 4 - 10
- ¹⁵ Regions used by the Food and Agricultural Organization of the United Nations as accessed at: http://www.fao.org/unfao/govbodies/memberships_reg_en.asp
- ¹⁶ Regions used by the UN Statistics Division as accessed at <http://unstats.un.org/unsd/methods/m49regin.htm#europe>
- ¹⁷ Regions used by the Statute of the International Atomic Energy Agency
- ¹⁸ Similar to process used for the selection of judges for the International Court of Justice, Statute of the International Court of Justice Articles 4 - 10
- ¹⁹ Similar to process used for the selection of Deputy Prosecutors for the ICC as mandated on the Chief Prosecutor in the Rome Statute, Article 42.