

## A Framework for a Middle East Security Architecture and Governance Mechanism

The World Sustainability Forum calls for the international community to act now through all legal and diplomatic means to:

- (a) bring an immediate and lasting ceasefire in the occupied Palestinian territories and in Israel to allow for unimpeded life-saving aid to reach those in urgent and desperate need;
- (b) acknowledging that security depends not only on the absence of conflict, but also on respect for human rights and responsibilities, rule of law, and economic cooperation, ensure the human security of the Israeli and Palestinian peoples;
- (c) fulfil the Palestinian desire for a sovereign, secure, and free state, and
- (d) initiate a genuine and sustainable development process in the Middle East region.

Recognizing the existential imperative to embrace human responsibility [1] in safeguarding the human security and human rights of the Palestinian and Israeli peoples, the World Sustainability Forum proposes a Framework for security and cooperation in the Middle East. [2] Grounded in a systems science approach, the Framework calls for a transformation of regional governance representing the needs and interests of present and future generations. For it is time to consign to oblivion the view of the Middle East as an arena of confrontation divided into spheres of influence and as a theatre of war. In the face of unfettered devastation and suffering, humanity must prevail over the faint-hearted, the cowed, and the "realists" who are hostage to history. The Framework call for a transformation from a culture of war to a culture of peace – one where the regional dynamic is shaped by a balance of interests rather than a balance of power, and by a search for compromise and agreement rather than a search for advantage. Let us understand that this time of crisis as also a time of opportunity for the Palestinian and Israeli peoples to begin to invent their future. For these reasons the Forum encourages the member States of the United Nations to consider the following Framework and its integrated measures.

The Framework for a Middle East Security Architecture and Governance Mechanism is outlined in the following seven precepts and measures:

- Political Dialogue and Diplomacy: Implement a boundary-spanning, people-centred dialogue enabling the parties to develop new approaches to dissolve the challenges of the Middle East. Such a dialogue and diplomatic engagement must address contentious issues and cultivate trust to:
  - (a) Enact a lasting ceasefire and cessation of hostilities: Mindful that, in accordance with the United Nations Charter, the Security Council bears the primary responsibility for upholding international peace and security, the UN Security

Council (UNSC) must equitably discharge its Charter responsibilities through the decisive execution of UNSC Resolution 2712. [3] The conflicting parties should sincerely uphold the relevant resolutions of the United Nations General Assembly (UNGA) and the UNSC, promptly instituting an enduring and consistently honoured humanitarian pause in the conflict. And, in accordance with UNSC Resolution 2712, the UNSC is urged to demand a comprehensive cessation of hostilities and actively foster a de-escalation and resolution of the conflict.

- (b) Ensure the protection and well-being of civilians: UNSC Resolution 2712 mandates all involved parties to adhere to their responsibilities under international humanitarian law, with particular emphasis on the protection of civilians. It is imperative to cease any acts of violence directed towards civilians and to abstain from violating international humanitarian law and human rights treaties including UNGA Resolution 260 A (III). [4] Furthermore, the UNSC must assertively oppose the involuntary displacement or expulsion of the Palestinian population from the occupied Palestinian territories and facilitate the swift release of those individuals held captive in violation of international law.
- (c) Ensure humanitarian aid: In accord with UNSC Resolution 2712 all relevant parties are urged to diligently uphold their responsibilities under international law by enabling and expediting the prompt and unhindered flow of humanitarian aid for the distressed civilian population of Gaza. It is imperative for all parties to abstain from impeding the provision of aid and services crucial for the sustenance of the civilian inhabitants of Gaza.

The Forum calls upon the UNSC to ensure meaningful humanitarian relief efforts, endorse the UN's coordinating role and support to the UN Relief and Works Agency for Palestine Refugees in the Middle East in its humanitarian mission including the creation of humanitarian corridors into Gaza requisite to the logistical requirements to enable swift, secure, unobstructed, and sustainable provision of humanitarian aid. Moreover, concerted efforts are needed to prepare the international community for contributing to the reconstruction of Gaza in the aftermath of the conflict.

(d) **Strengthened diplomatic mediation:** In accord with the United Nations Charter, the UNSC is called upon to equitably fulfil its primary responsibility of fostering peace. The Forum recommends the UNSC urge conflicting parties to exercise restraint and avert an escalation of the conflict. Acknowledging the importance of regional countries and organizations, and the potential mediating role of new regional stakeholders, the Forum urges the UNSC to assist the UN Secretary-General and the Secretariat in their peacebuilding endeavours. Furthermore, regionally influential

- member States are encouraged to adopt a judicious posture, collaboratively contributing to a de-escalation of the crisis.
- (e) **Pursue a diplomatic resolution:** In accordance with UN Resolutions 242, 338, 337A(v), 1397, 1515 and 2334 [5] and other relevant Security Council resolutions, an equitable dissolution of the Palestinian-Israeli conflict can be achieved with the realization of two states for the two peoples.

Recognizing the International Court of Justice interim ruling of January 26, 2024 [6] that the State of Israel is plausibly in violation of Article III [7] of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide any Contracting Party to Convention may call upon the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III.

Gravely concerned at the deterioration of the situation in Gaza and the Middle East and its consequences to the maintenance of international peace and in view of the present persistent lack of unanimity of the permanent members of the UNSC to exercise its primary responsibility for the maintenance of international peace and security in the Gaza, the Forum encourages concerned member States of the U.N. General Assembly to invoke Resolution 377(V) [8] and take collective action by a further resolution:

- (i) Demanding that the State of Israel immediately cease all its military action against the Palestinian peoples in the Gaza and withdraw its forces from the Gaza;
- (ii) Pursuant to the International Court of Justice interim ruling, demand that the State of Israel, in accordance with its obligations under the Convention: (a) take all measures within its power to prevent the commission of all acts within the scope of Article II of the Convention; (b) take all measures within its power to prevent and punish the direct and public incitement to commit genocide in relation to the Palestinian peoples of the Gaza Strip; (c) take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip; (d) take effective measures to prevent the destruction and (e) ensure the preservation of evidence related to allegations of acts within the scope of Article II and Article III of the Convention against members of the Palestinian group in the Gaza Strip;
- (iii) Immediately establishing under the authority of a United Nations an Interim Force in the Gaza for the purpose of monitoring the ceasefire, confirming the withdrawal of Israeli forces, restoring international peace and security and assisting

the Palestinian peoples of Gaza exercise their right to self-determination and statehood, the force to be composed of personnel drawn from Member States;

(iv) Request the Secretary-General to report to the UNGA within 24 hours on the implementation of the resolution. [9]

Placing human rights and responsibilities at its centre, the Forum further calls for member States of the U.N. to invoke UNGA Resolution 377(V) and call for the Secretary-General to convene a **Middle East Conference on Peace, Security and Co-operation**. The Conference should consider diverse diplomatic options (possibly including those proposed herein) with the ambition of fostering lasting peace, security, and sustainable development. Concluding with a comprehensive peace agreement the Conference should include: a reaffirmation of UNSC Resolution 1397 and the Arab Peace Initiative's recognition of the State of Israel and the Palestinian State [10] and a definitive timetable, roadmap and specific steps for the implementation of a two-State solution for a full restoration of the national rights of Palestine with the establishment of the independent State of Palestine exercising sovereignty within the 1967 borders and with East Jerusalem as its capital. Any agreement concerning the future of the occupied Palestinian territories including Gaza must affirm the autonomous will and independent choices of the Palestinian people, ensuring that no arrangements are forcibly imposed upon them.

- 2. **Mutual Security**: With a systemic approach to national and human security prioritize justice, mutual understanding, reconciliation, and cooperation among nations of the Middle East, recognizing that true peace and mutual security can be achieved only through dialogue, pursuing reconciliation and mutual development. [11]
- 3. Disarmament: Recognizing that in the nuclear age peace is necessary for the survival of the human race, the objective is to cross the threshold of mistrust, enhance regional security, and safeguard the human rights and security of all. The Forum emphasizes the importance of arms control and disarmament, including the creation of a Nuclear Weapons-Free Zone in the Middle East and reductions in conventional arms and armed forces to a level of defence sufficiency that precludes the use of military force against other countries for the purposes of attack. We advocate as well for an effective verification of all treaties and agreements that may be concluded with respect to disarmament issues.

Establish a **Nuclear Weapons-Free Zone:** By virtue of UNSC Resolution 687 [12] the UNSC has a special responsibility to establish a Nuclear Weapon-Free Zone (NWFZ) in the Middle East. Essential articles of agreement may include: (i) an unequivocal prohibition on the development, testing, possession, acquisition, or deployment of nuclear weapons; (ii) robust mechanisms of verification and monitoring that may include

regular inspections by an international body, the use of monitoring technologies, and the exchange of relevant information among participating states; (iii) safeguards agreements with the International Atomic Energy Agency to monitor and verify compliance with non-proliferation commitments, including the peaceful use of nuclear energy and materials; (iv) dispute resolution mechanisms that may involve diplomatic negotiations, mediation, arbitration, or referral to relevant international bodies; (v) security assurances against the threat or use of nuclear weapons, conventional aggression, or other forms of hostile actions including commitments from nuclear-weapon states to refrain from using or threatening to use nuclear weapons against NWFZ states; (vi) as otherwise proposed in these measures, regional cooperation and confidence-building measures among participating states to foster mutual trust and stability; (vii) transparency and reporting obligations requiring participating states to submit regular reports, declarations, or notifications related to their nuclear activities, facilities, materials, and compliance with NWFZ obligations; and (viii) entry into force of the NWFZ agreement, as well as provisions for periodic review and renewal of the arrangement based on mutual consent; (ix) incorporate legally binding commitments to achieve comprehensive nuclear weapons disarmament within a clearly defined and attainable time frame. [13]

- 4. **Cultural and Academic Exchange:** Recognizing the importance of cultural, scientific, and academic exchanges in promoting mutual understanding, tolerance, and cooperation among peoples and to foster a shared sense of community and a shared future, the Forum advocates for educational programs, scientific collaboration, and cultural exchanges. The aim is to expand cultural cooperation, increase scientific interaction, and a higher level of information exchanges to build trust through solidarity.
- 5. Parliamentary Assembly: Promoting good governance, enhancing international cooperation, and addressing shared challenges and opportunities, a Parliamentary Assembly can facilitate inter-parliamentary dialogue and act as a mechanism for fostering cooperation, understanding, and consensus-building among legislators from Middle Eastern countries by:
  - (a) facilitating exchanges on legislative good practices, electoral processes, and governance structures. By engaging in dialogue, parliamentarians can share insights and experiences that contribute to strengthening democratic institutions and upholding the rule of law within their respective countries.
  - (b) facilitating cooperation on legislative matters of mutual interest, such as trade agreements, technology transfer, environmental regulations and security policies.
  - (c) providing a platform for addressing human rights and responsibilities, social challenges, and equality concerns across borders.

- (d) enhancing public diplomacy efforts by promoting engagement and dialogue among elected representatives and citizens.
- 6. Economic Cooperation: Underscoring the importance of economic cooperation and integration as a means to enhance interdependence and reduce disparities among the peoples of the Middle East, to foster sustainability, stability, and transcend historic divides, the Forum advocates for the creation of a Middle East UN Peace and Sustainable Development Fund.

Realizing the emergence of a vast economic space, the Fund's purpose is to finance reconstruction and a sustainable development program. Acknowledging a new geo-economic dynamic in the Middle East and the need for a mechanism for greater investment partnerships that integrates rather than divides economic blocs, a Middle East U.N. Peace and Sustainable Development Fund could be co-financed by:

- (a) a general **disarmament-for-debt financing mechanism** involving structured, verifiable agreements wherein a country commits to substantial disarmament measures in exchange for alleviation or restructuring of its existing debt [14] and
- (b) the crowding-in of other funding streams that should include regional sovereign wealth funds to promote sustainable economic development involving Israel, Palestine, Jordan, Egypt, Saudi Arabia, and other nations in the region.
- 7. **Governance Structure**: The model of rapprochement in the Middle East may be shaped by the creation or reform of regional institutions, mechanisms and new platforms to facilitate economic cooperation, conflict resolution, collective and human security arrangements as well as sustainable development.
  - (a) To address issues such as conflict prevention, crisis management, arms control, economic cooperation, human security, and sustainable development, grant institutions with the authority, resources, and capabilities to facilitate cooperation, monitor compliance with international commitments, and mediate disputes among member states.
  - (b) Appreciating that fragmented and sectoral responses to complex crises are inadequate, as an outcome of the Middle East Conference on Peace, Security, and Co-operation, the Forum advocates for the creation of an Organisation for Security and Co-operation in the Middle East (OSCME). This organisation would be funded by contributions from its participating States and tasked with monitoring regional developments, facilitating diplomatic negotiations, implementing peacebuilding initiatives, and effectively addressing emerging conflicts and risks. Its agencies may include:

- i. A Council for Security Cooperation that develops norms and provides practical assistance to address the proliferation of illicit arms; oversee the nonproliferation of weapons of mass destruction including the NWFZ; and enables the regular contact, co-operation, and sharing of military information among the participating States.
- ii. A Council of Ministers composed of the Ministers for Foreign Affairs of the participating States of the Middle East and constituted as the central decisionmaking and governing body of the Organisation. Summit meetings at the level of Heads of State or Government could be the highest decision-making body of the OSCME.
- iii. A **Systemic Risk Council** incorporating feedback from participating States and other relevant partners to enable anticipatory governance and facilitate responses to regional shocks. [14] A Council may be structured as a secretariat with convening authority and a set of protocols to convene leaders from participating States, other regional institutions and bodies, UN delegates, civil society, the private sector, subject-specific entities and other experts.
- iv. A Council for Sustainable Development that acknowledges the inseparability of peace-building and sustainable development, with facilities and mechanisms for: (a) regional policy coordination and integration; (b) capacity building and technical assistance including the establishment of an Alliance for Systemic Risk and Foresight tasked with data collection, monitoring and systemic analysis to assess multiple hazards and risks, provide strategic foresight, formulate anticipatory adaptive and mitigating policies; (c) stakeholder engagement and participation; (d) regional cooperation and partnerships; and (e) the financing mechanism referred to above.
- (c) Recognizing human rights and responsibilities as an existential imperative, establish mechanisms for monitoring human rights abuses, promoting democratic governance, and ensuring compliance with agreed upon standards and commitments. This could involve establishing relevant institutions to facilitate: inter-parliamentary dialogue, elections monitoring, promoting rule of law, and protecting fundamental freedoms across member states.
- (d) To enable regular consultations, summits, and negotiations to address contentious issues, build mutual trust, facilitate conflict resolution and reconciliation.

Recognizing that transitions which seem unthinkable today may soon become possible, this Framework seeks to transcend divisions, foster cooperation among the nations and peoples, such that a Middle East freed from fear may invent its future. While appreciating that the

proposed Framework and its measures are enormously complex, they cannot, however, be postponed. "Tomorrow is always too late!" [15]

Supporting courage where there is fear, nurturing agreement where there is conflict and inspiring hope where there is despair, the World Sustainability Forum embraces the imperatives of life, universal human rights, intergenerational human responsibilities, sustainable development, and a culture of peace.

## References:

- [1] The World Sustainability Forum advocates for a UNGA Resolution on an intergenerational <u>Declaration of Human Responsibility</u> as the necessary counterpart to the Universal Declaration of Human Rights.
- [2] A systems science model for diagnosing and co-designing a viable Security Architecture and Governance Mechanism capable of managing the evolving complexities is being developed by the World Sustainability Forum's Systems Science Research Group.
- [3] Resolution 2712 (2023). Adopted by the Security Council at its 9479th meeting, on 15 November 2023. <a href="http://unscr.com/en/resolutions/2712">http://unscr.com/en/resolutions/2712</a>
- [4] General Assembly resolution 260 A (III) of 9 December 1948 <a href="https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/044/31/IMG/NR004431.pdf?OpenElement">https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/044/31/IMG/NR004431.pdf?OpenElement</a>
- [5] UNSC Resolution 242 of 22 November 1967. <a href="http://unscr.com/en/resolutions/doc/242">http://unscr.com/en/resolutions/doc/242</a>; UNSC Resolution 338 of 13 August 1973.

https://unsco.unmissions.org/sites/default/files/s res 3381973.pdf; Resolution 377A(v) 377A(v) of 5 November 1950,

https://www.un.org/en/sc/repertoire/otherdocs/GAres377A(v).pdf; Resolution 1397 of 12 March 2002. https://www.un.org/unispal/wp-content/uploads/2016/04/SRES1397.pdf; Resolution 1515 of 19 November 2003. http://unscr.com/en/resolutions/doc/1515; Resolution 2334 of 23 December 2016. http://unscr.com/en/resolutions/doc/2334.

- [6] "Application Of The Convention On The Prevention And Punishment Of The Crime Of Genocide In The Gaza Strip (SOUTH Africa V. Israel)," paragraph 54, (26 January 2024). https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf
- [7] Convention on the Prevention and Punishment of the Crime of Genocide, Article III includes: "(a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide." <a href="https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20of%20the%20Crime%20of%20Genocide.pdf">https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf</a>

[8] Resolution 377(V) – commonly known as the "Uniting for Peace" resolution – was adopted by the General Assembly on 3 November 1950.

https://documents.un.org/doc/resolution/gen/nr0/059/75/pdf/nr005975.pdf?token=olxo6I2EQZCfvhcg0S&fe=true

[9] Precedence includes: (i) during the Suez Crisis of 1956, the UN General Assembly convened under Resolution 377 (V) because of a lack of unanimity of the permanent members of the UNSC; (ii) past conflicts in the Middle East, including the Arab-Israeli conflicts, the General Assembly considered invoking Resolution 377 (V) to address situations when the Security Council lacked unanimity.

[10] See UNSC Resolution 1397 of 12 March 2002. https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/IP%20SRES%201397.pdf. See also The Arab Peace Initiative of 2002. https://www.kas.de/c/document\_library/get\_file?uuid=a5dab26d-a2fe-dc66-8910-a13730828279&groupId=268421

[11] Models of reconciliation include the institutionalization of multifaceted approaches aimed at reversing the everyday normalization of hate and violence. Specific features may include: the establishment of transitional justice mechanisms, such as truth commissions or reparations programs; educational initiatives; community engagement; legislative measures; law enforcement training; media responsibility; psychosocial support; technology and monitoring, and international collaboration.

[12] See UNSC Resolution 678 of 8 April 1991 especially paragraph 14. https://www.un.org/depts/unmovic/documents/687.pdf

[13] A proposal for a Nuclear Weapon-Free Zone aimed at preventing the development, deployment, and utilization of nuclear weapons in the Middle East was formally introduced in the United Nations General Assembly through <u>Resolution 3263</u>, adopted on November 29, 1974.

[14] A disarmament-for-debt financing mechanism involves a structured agreement whereby a country commits to verifiable, substantial disarmament measures in exchange for the alleviation or restructuring of its existing debt. Implementation may involve a phased disarmament process, multi-modal verification mechanisms, and the establishment of an independent oversight body to ensure compliance. The international community could play a pivotal role in facilitating negotiations, providing financial incentives, and monitoring the progression of disarmament efforts. This mechanism seeks to balance the triad of regional security and peace with the sustainable development in the Middle East, thereby promoting a cooperative framework for simultaneously addressing the three issues.

[14] A complex regional shock may be understood as an event with severely disruptive consequences for a significant proportion of the population of the Middle East that leads to systemic risks across multiple sectors.

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