



CHAPTER FOUR

THE GENERAL ASSEMBLY

INTRODUCTION

The General Assembly is the main deliberative policy-making body of the United Nations (UN) and is empowered to address all international issues covered by the Charter. In many ways, it acts as the central hub of the United Nations. Many United Nations bodies report to the General Assembly, but not all of these bodies are subsidiary to the GA. For example, the Security Council constantly updates the General Assembly on its work, but it is an independent body; its work does not require the General Assembly's independent approval. In contrast, the Economic and Social Council (ECOSOC) is a subsidiary body of the General Assembly and is governed by General Assembly mandates. Other subsidiary bodies, such as the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF), also have direct reporting relationships with the General Assembly.

The United Nations Charter assigns each of the main Committees of the General Assembly specific tasks and topics to discuss during each session. Because every Member State has a seat in every Committee, it is important to note that the points of discussion do not overlap; even if two or more Committees are discussing a general topic area, each Committee is responsible for discussing a very specific point or aspect of that topic. For example, the Fourth Committee may discuss the Israeli-Palestine conflict with regard to its political components. However, issues concerning the legal, social, or economic components of the Israeli-Palestine conflict are left to other Committees, such as the General Assembly Plenary or the Security Council. Therefore, Representatives in each Committee should take care not to expand the discussion of any topic beyond the limitations set by their Committee's mandate and into another Committee's area of discussion. This is known as the Committee's purview.

A note concerning funding: The Fifth Committee makes financing decisions concerning only the United Nations regular, annual budget, not those decisions dealing with voluntary contributions or new outlays. Even though AMUN will not be simulating the Fifth Committee, other Committees generally do not act unless sufficient funds are available for their proposals, thus financial questions should still be considered during the other Committees' deliberations. Therefore, if a Committee creates a new program or initiative, that Committee should specify how the program can or will be funded, and, if the program falls within the United Nations regular annual budget, that resolution should defer to the Fifth Committee to establish funding.

The purpose of the Combined Plenary session on the final day is to ratify the resolutions which passed in the four main GA Committees and build consensus. While a small amount of additional debate is typical, it is expected that the work done by each Committee over the first three days of the Conference will be respected. It would thus be rare for significant changes to be made or for a resolution to fail in the Plenary session after passing in Committee.

The following are brief descriptions of each Committee simulated at AMUN, along with the Committee's agenda, a brief purview of each committee, a brief background and research guide for each agenda topic, and the Committee's website address. Representatives should use this

information as the first step in their research on the powers and limitations of their particular Committee in relation to the agenda topics.

PURVIEW OF THE CONCURRENT GENERAL ASSEMBLY PLENARY

The General Assembly Plenary typically considers issues that several Committees would have the power to discuss, but which would best be addressed in a comprehensive manner. Likewise, the General Assembly Plenary is also responsible for coordinating work between the many different bodies of the United Nations. For example, the 60th General Assembly recently established a Peacebuilding Commission that oversees the United Nations peacebuilding processes and coordinates the work of the Security Council, the Economic and Social Council, the Secretary-General, and Member States emerging from conflict situations. Note that if the Security Council, which is given the primary task of ensuring peace and security by the Charter, is discussing a particular issue, the General Assembly Plenary will cease its own deliberations and defer to the Security Council.

Website: www.un.org/ga/

OCEANS AND LAW OF THE SEA

Until the twentieth century, the concept of freedom of the seas was widely accepted. States' sovereign rights to waterways were limited to the narrow space near their coastlines. These rights were largely established by common law or managed on an ad hoc basis by a State and its neighbors. As opportunity for economic exploitation of oceans increased in the 19th and early 20th centuries, States began to assert greater claims of sovereignty, resulting in territorial disputes. Additionally, heavy fishing, whaling and other activities began to cause major ecological and economic concerns that transcended established maritime borders. All of these causes created an increasing demand for regional and global agreements to allocate resources and resolve disputes between States. Today the majority of international agreements distributing sea area are regional in nature. These multilateral agreements cover a vast array of issues within the sea, including regulating peaceful use of the sea, monitoring marine ecology and standardizing sea trade between States.

The United Nations General Assembly has discussed the law of the sea since the 1950s. In 1950, the General Assembly created the International Maritime Organization (IMO). Today, the IMO serves as a forum for States to establish regulations on activities such as ship antipollution measures. In 1958 the Geneva Conference on the Law of the Sea finalized four draft conventions and an optional protocol: the Convention on the Territorial Sea and the Contiguous Zone (CTS); the Convention on the High Seas (CHS); the Convention on Fishing and Conservation of the Living Resources of the High Seas (CFCLR); the Convention on the Continental Shelf (CCS); and the Optional Protocol of Signature concerning the Compulsory Settlement of Disputes (OPSD). These Conventions and the Optional Protocol have codified the way international law is enforced at sea and determined where jurisdiction lies; additionally, entered as five separate-but-related treaties, they are more appealing to a broader population



of States. As the law of the sea has complex political, economic and environmental ramifications, a broad-based package of treaties allows more compliance and understanding between States: for example, most States can agree on safe passage in waterways, whereas territorial boundaries are more difficult to resolve or outline.

These five were later codified into the United Nations Convention on the Law of the Sea (UNCLOS) in 1982. This broad-based Convention pieced together many agreeable portions of the previous Conventions and the Protocol to create a usable, fundamental document for maritime use and law. While there were many foci within UNCLOS, including definition of high sea and protections of both human and environmental life within the seas, the largest change it brought was the definition of exclusive economic zones, or EEZs. Under UNCLOS, a country's EEZ stretches from their shore out to 200 nautical miles from its coast; this does not include the territorial sea (surface waters) or continental shelf beyond these 200 nautical miles. EEZs include a State's special rights to exploration and use of marine resources, including energy production.

The General Assembly drafts an annual resolution to discuss continuing maritime law issues, most recently in A/RES/69/245. The topics discussed ranged from implementation of UNCLOS to the protection of the marine ecosystem. A major focus was on the safety of mariners, with the main concerns revolving around piracy and robbery at sea. Piracy off the coast of Somalia has and continues to be a major problem for shipping companies operating near Africa's eastern coast. Although the number of reported cases of piracy is at the lowest levels since 2006, the incidents of armed robbery at sea are still a concern for all sea-faring countries.

Along with the discussion of piracy, the General Assembly is concerned about the impact humankind has had on the marine environment and natural resources in the seas. The most recent developments in UNCLOS have primarily examined the need for increased focus on sustainability within international fishing markets. This need is reflected in not only a growing concern for environmental and ecologic stability, but also for the economic welfare of fishing-dependent States. The three primary issues the United Nations is currently taking action on are: the achievement of sustainable fisheries; the enforcement of current legislation while managing fishing at the State level; and the need for capacity growth without reaching over-capacity, as in increasing the capacity to fish without overfishing.

With an increased demand for fish and a rise in the regulated growth and production of fish, the United Nations has also turned its focus to fisheries—specifically, creating sustainable fisheries. Emphasis was placed on the increased use of science and technology in order to gather more accurate data, assisting the creation of more effective plans for sustainability. Significant notice was also given to the need for enforcement of regional and national sustainability plans. In February 2014, the fourth Global Fisheries Enforcement Training Workshop was held in San José, Costa Rica, to increase the effective implementation of responsible management in fisheries worldwide. A fifth Training Workshop has been planned for March 2016.

Moving forward, there are major policy issues surrounding UNCLOS. Free access and navigation of international waters for trade and defense becomes tricky as regional conflicts and non-State actors hinder past treaty agreements and traditional arrangements: for example, internal

conflict at the tip of the Arabian Peninsula has disrupted decades-long safe passage in the surrounding waters. It is also important to recognize the impact these conflicts have on security and military issues: an upset in power within a country bordering or having control over specific waterways impacts which States are able to carry out military or security measures within those waters. Additionally, things like military exercises off the Korean peninsula impact surrounding countries and States who are invested in such activities. Furthermore, regional concerns like the heavily-contested EEZs within the South China Sea create international headache, as these territorial disputes occur in one of the busiest shipping zones in the world.

From an environmental standpoint, the uses of fisheries and underwater resource exploitation have a large impact at both the regional and global levels. While the United States and Canada have extremely large global fishing reaches, smaller islands like Palau or Trinidad and Tobago have economies and communities centered almost entirely on their fishing industry. These island nations and smaller coastal States lacking in primary resources other than fishing are the most dependent on UNCLOS, and slight changes in international trade law or fishing policy can have dramatic repercussions for their economies and citizens. Disputes over underwater resources grow in frequency with the thawing of the Arctic; as this area thaws, mineral wealth, oil and gas in those areas becomes easier to exploit. As States begin to expand commercial enterprises into the Arctic, the law of the sea will remain important in settling disputes and outlining positive approaches to new or growing problems.

Questions to consider from your government's perspective on this issue include the following:

- How does UNCLOS impact the dispute of territories between States?
- How do changes in trade and shipping access shape States' interactions under UNCLOS, and do these changes need to be further clarified or reflected in UNCLOS?
- As States build islands atop atolls, extending the reach of their EEZ, how can the international community make sure UNCLOS is implemented effectively?

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OUTCOME DOCUMENT OF THE SPECIAL EVENT TO FOLLOW-UP EFFORTS MADE TOWARDS ACHIEVING THE MILLENNIUM DEVELOPMENT GOALS

The Millennium Development Goals (MDGs), a product of the Millennium Development Summit from 6 September to 8 September 2000, were a key part of how the United Nations redefined its role for the 21st century. Addressing topics like poverty, education and health, the MDGs are global goals to be achieved by Member States that intended to uphold the United Nations Charter and ensure human rights to all individuals across the globe. The Millennium Development Goals were given a target deadline: to be reached by 2015. As 2015 approached, the United Nations and its Member States began to consider how to improve on its successes and bolster its weaknesses after the deadline.

For decades, Member States have struggled to comprehensively address poverty and inequality in both developed and developing countries. Through the late 1980s and early 1990s, a new form of addressing these issues emerged. In 1990, the World Conference on Education for All adopted a Framework for Action to Meet Basic Learning Needs. It proposed six priority areas and encouraged Member States to set specific, targeted goals in each area to be achieved by the year 2000. At the 2000 World Education Forum, Member States agreed to common, global targets for each of the six priority areas for 2000-2015, a structure paralleled in the MDGs. The key factor in both remains the States themselves; while the United Nations is the convening body and the forum wherein MDGs are discussed and set, the United Nations' direct steps or programs are secondary to the States' actions. States agree on the targets set forth in the MDGs, and it is the States' responsibility to help see these goals through on a national or regional level.

After the unanimous adoption of the United Nations Millennium Declaration on 18 September 2000, Member States produced three resolutions that would help define the eight official Millennium Development Goals. Each of these resolutions was titled "Follow-up to the outcome of the Millennium Summit." In these documents, Member States agreed on priorities, approaches and standards to how States could achieve the MDGs. They would also provide guidance for oversight. The first of the three resolutions called for an "integrated, coordinated, comprehensive and balanced approach" in the implementation of the United Nations Millennium Declaration at the national, regional and international levels. The resolution established the reporting process on the MDGs through a request that the Secretary-General prepare a comprehensive report every five years, supplemented by annual reports. The second resolution recognized the report of the Secretary-General entitled, "Road map towards the implementation of

the United Nations Millennium Declaration." The resolution specified that the reporting process on the MDGs should focus on the major areas set forth in the road map, inviting Member States to give widespread publicity to the Millennium Declaration in order to increase the dissemination of information. The third resolution produced more extensive language on the progress and implementation of the Millennium Development Goals.

Aside from the reporting process, the United Nations further refined its approach to the MDGs. In May 2007, the Secretary-General established the MDG Gap Task Force to improve monitoring of the global commitments contained in Goal 8, the Global Partnership for Development. Additionally, another Millennium Summit was held in 2010, resulting in the "Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields." This document outlined both a recommitment to the MDGs and identified goals where improvements still needed to be made. The document identified areas such as sustainable development, the continued spread of HIV/AIDS cases and continued inaccessibility of treatment, and maternal health as major goals needing to be met, particularly identifying African countries, developing states and countries with ongoing military conflicts as target areas. Accessibility, particularly for these categories of countries, would be an ongoing focus for United Nations efforts.

In September of 2013, United Nations Secretary-General Ban Ki-moon hosted a special event to follow up on the efforts made toward achieving the 2015 MDGs. He presented a report to Member States entitled "A Life of Dignity for All." Member States adopted his recommendations in an outcome document, which renewed Member States' commitment to meet the targets laid out by the MDGs. Member States also agreed to meet at a high-level summit in September of 2015 where they will adopt new goals to build on the MDGs. The outcome document focused on the unevenness in meeting development goals, placing special emphasis on African countries and countries experiencing conflict and humanitarian crises.

In the Secretary-General's report, he identifies areas where Member States are facing difficulty meeting the MDGs. The most important goals are related to poverty and hunger, primary education, reproductive health, environmental sustainability, and sanitation. Specific challenges include ending open defecation, providing antenatal care to women, reducing child deaths from preventable diseases and encouraging young women to stay in school. However, the United Nations has already met some of its goals on reducing poverty, increasing access to cleaner water, improving life in slums and achieving gender parity in primary schools. It is also on track to surpass its goals on malaria, tuberculosis and HIV prevention.

The United Nations is working on taking targeted action to meet the MDGs by their deadline. In many cases, this has been through calling for the complete implementation of previous resolutions and commitments, such as the recommendations of the Millennium Development Goals Gap Task Force; the previously established Almaty Programme of Action, Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, and Brussels Programme of Action for the Least Developed Countries for the Decade 2001-2010; and the continuation of better statistics and data tracking practices. The 2013 Outcome document of the special event to follow up efforts made toward achieving



the Millennium Development Goals has pointed to many of these past commitments and reaffirmed the need for States to meet their funding pledges in order to complete the MDGs on time to the best of the ability of the United Nations.

In addition to new initiatives created to meet the MDGs, Member States are in the midst of a heated debate over what to include in the Post-2015 Development Goals. The Outcome document of the special event to follow up efforts made toward achieving the Millennium Development Goals hits on a number of issues to focus on in the Post-2015 goals, including continuing efforts on poverty and hunger eradication, sustainable development, and increased efforts on democratic governance, rule of law, and gender equality. The document places additional emphasis on the need for economic assistance, particularly after the lessons learned from the economic crisis of the past decade. However, particulars and expanded goals are under debate as well. Additionally, the Post-2015 agenda hopes to couple the MDGs with the Sustainable Development Goals, an outcome of the Rio+20 Conference in 2012 that builds on the Millennium Development Goals and hopes to ensure a more eco-friendly future.

In keeping with the call to “set the stage,” the current sessions will likely focus on ways to bolster past successes and to preempt any problems that may occur in the next phase of the MDGs. Certain goals may no longer benefit from or need enough focus to include as a Post-2015 Development Goal. Additionally, States have begun to realize that tension emerges from the debate on whether to set targets that apply universally: raising people above the \$2 per day poverty line means something far different in Sub-Saharan Africa than in Western Europe, for example. Member States should establish strong policy commitments for successful programs to maintain successes and focus on ways to reinforce progress made. This may be in the form of continued monetary, technological or personnel support. Future actions should also consider what type of commitments would provide a good foundation for the future of the Goals. This will prove especially difficult if the body cannot decide what they will ideally focus on in the next phase of the Development Goals.

Questions to consider from your government’s perspective on this issue include the following:

- What areas need continued focus? What could future goals include that may have been missed with the original MDGs?
- How can the United Nations increase the number of Member States actively participating in improvements both within and beyond their borders?
- How can expanded efforts be inclusive of both developing and developed Member States?

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THE GENERAL ASSEMBLY FIRST COMMITTEE

DISARMAMENT & INTERNATIONAL SECURITY

PURVIEW OF THE GENERAL ASSEMBLY FIRST COMMITTEE

The General Assembly First Committee addresses the disarmament of conventional weapons, weapons of mass destruction and related international security questions. The First Committee makes recommendations on the regulations of these weapons as they relate to international peace and security. The First Committee does not address legal issues surrounding weapons possession or control complex peace and security issues addressed by the Security Council. For more information concerning the purview of the United Nations General Assembly as a whole, see page 22.

Website: www.un.org/ga/first/index.shtml

DEVELOPMENTS IN THE FIELD OF INFORMATION AND TELECOMMUNICATIONS IN THE CONTEXT OF INTERNATIONAL SECURITY

Around the world, governments, businesses and private citizens increasingly rely on information and communication technologies (ICT) in almost every facet of life and work. As the world has globalized, so have ICT systems that connect people around the world at a low cost. Governments, including the defense sector, have often led the way in developing and making use of new ICT developments. This has created great opportunities to develop new, better capabilities and ease collaboration amongst allies, but it has also created a bevy of new risks. Government computer networks are increasingly the target of cyberattacks, defense contractors and researchers in industries as diverse as medicine, robotics and energy are being targeted for industrial espionage via the internet. Independent researchers have also expressed concerns about attacks on national power grids and other infrastructure that relies on the internet and computer networks. The increasing pace of global access to the internet is only accelerating the evolution of these trends. As non-State actors work to breach States' firewalls to gain access to high-level information and state secrets, the importance of collaboration crystalizes. As a result, United Nations Member States are increasingly interested in international frameworks that can address or mitigate information security concerns.

At the United Nations, the issue of information and telecommunications has historically focused on the role of unified communications and the integration of telephone lines, wireless signals and computers; ICT enables users to access, store, transmit or manipulate information from remote locations. Additionally, the single unified system of cabling, signal distribution and management offers a large economic incentive by largely eliminating hardwired networks, such as telephone lines. While the United Nations and other regional or international groups began to focus on developments in ICT in the early- to mid-nineties, the General Assembly first addressed information security in 1998. General Assembly resolution 53/70 stated the importance of ICT, technological advancement and the sharing of information multilaterally. Calling for States to submit reports to the Secretary-General on their positions regarding ICT and the advisability of the international community setting standards against cyberterrorism and criminal activity; it was adopted by consensus.

Since 1998, the Secretary-General has issued annual reports to the General Assembly outlining the views of Member States on the issue; at times, States' contributions are so substantial that they are published as stand-alone documents outside the annual report. All parties acknowledge that the ever-expanding growth of information and telecommunications technology has created susceptibilities and new possibilities for cyber-security disruption. This has led to a United Nations-backed push to initiate multilateral discussions to update the international community on these new and growing issues; some of these discussions have produced agreements that continue to resonate in future discussions on ICT and its role in States' economic, civil and military systems.

Recently, attempts to fight the ongoing threat of cybercrime have been mainly conducted through international cooperation and at regional levels—such as the Shanghai Cooperation Organisation, the Organization of American States, the Asia-Pacific Economic Forum and the Association of Southeast Asian Nations (ASEAN) Regional Forum—and bilateral efforts between States. There have been various Groups of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security, or GGEs, which have issued three successful reports; the latest report links issues of cyber-security to international law, including the United Nations Charter. This unprecedented action will help shape the conversation on cyber-security and ICT in the future, particularly around peace and security issues, but implications as well as cohesive action is undefined. Another meeting of the members of the GGE is scheduled for 2015; while the body remains active on the matter, it is unclear how they will further implement changes regarding ICT or international security.

There have been other attempts from other entities within the United Nations to address issues of information security and telecommunications. In 2011, the Shanghai Cooperation Organisation States suggested an International Code of Conduct. This Code, viewed by many States as controversial, was not brought to the floor of the General Assembly. The General Assembly Third Committee has addressed the questions of cybercrime and privacy-related rights; two resolutions, passed in 2000 and 2001, focus on fighting the criminal misuse of information technologies. In 2013, the General Assembly adopted Resolution 68/167, stating there is a personal right to privacy in the digital age; this resolution emphasizes the responsibility of States to protect the individual's right to privacy online.

As States and regional groups continue to further their technological gains, and as information and telecommunications systems become integral on the international stage, it will be important for the United Nations to take this issue more seriously. The positive advancements connected to the proliferation of ICT cannot be understated. There are also security risks. The increasing accessibility of ICT has expanded the global stage, making it easier to recruit terrorists and fund terrorism. The group known as the Islamic State (IS) has a massive Internet presence, with social media often used as a recruiting technique. The growth of social media technologies has increased the non-State actor's ability to reach a huge audience: sophisticated multimedia campaigns sway Westerners to the cause for funding or



fighting. The humanization of the jihadist experience has coerced thousands of Westerners to flock to IS, either on-the-ground in the Middle East or through terror activities at home.

Cyber-attacks on both governmental and non-governmental networks are also an increasing problem. In 2010, researchers identified the Stuxnet virus, which was later revealed to be designed to damage Iranian nuclear centrifuges by interfering with Siemens industrial logic controllers. While no actor has claimed credit for the attack, media reports widely attribute its development to the United States of America and Israel. In the summer of 2015, the United States alleged that the People's Republic of China was responsible for a major hack that stole millions of United States government personnel records. Such records would be incredibly valuable for any intelligence agency. Non-State actors have also been active in major attacks against government websites and networks around the world.

The increases in cybercrime and State-sponsored cyber-warfare highlight the importance of this issue. Attacks on government computers and systems, sometimes hidden behind the smokescreen of hacker groups, have elevated the role of States--either in their alleged complicity or their relatively inactive response. States must work multilaterally to combat these detriments to information and telecommunications so technology can continue to positively impact global development and reshape the world as we know it.

Questions to consider from your government's perspective on this issue include the following:

- What actions should Member States and the international community take to prevent attacks via information and telecommunication systems?
- What activities conducted online should be considered intelligence-gathering and which should be considered acts of war or sabotage? What conduct is acceptable in this domain?
- How can Member States protect against cyber-attacks by non-State actors?

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IMPLEMENTATION OF THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION

Chemical weapons were first used in World War I, when the German Empire opened canisters of chlorine gas and allowed the wind to move the gas over French lines. As the war progressed, both sides developed and used artillery shells to deliver chemical weapons, including chlorine, phosgene and mustard gases, which resulted in approximately 1.3 million casualties. In 1925, the Geneva Protocol was signed into international law, banning the use of chemical weapons in warfare, but not their production or stockpiling. Despite widespread international prohibitions on their use, chemical weapons saw use again in World War II.

Outside of the two World Wars, State actors were responsible for chemical weapons use in a variety of instances: Italy used mustard gas during its 1935 invasion of Ethiopia and Japan employed chemical warfare against China starting in 1938. The issue returned to the forefront of public discussion in 1980, during the Iran-Iraq War, when Iraq used mustard gas against Iranian troops and Kurdish civilians.

These events demonstrated a clear need for a new international agreement on the development, production, stockpiling and use of Chemical Weapons. In 1992, the United Nations began drafting a new Convention. The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) came into force in 1997 and was designed to address some of the shortcomings of the Geneva Protocol. The CWC prohibits the use, production and stockpiling of chemical weapons, a step further than the Geneva Convention. The CWC calls for the destruction of all chemical weapons, including those abandoned outside State parties' territory, and the destruction or conversion of chemical weapons production facilities. The CWC is also supported by the Organisation for the Prohibition of Chemical Weapons, the independent and autonomous international organization working to ensure CWC implementation through demilitarization, non-proliferation, and national and international implementation.

Three reviews of the Convention have been held since its enactment: 2003, 2008 and 2013. As of the third review, only eight Member States had not assented to the Convention and almost 80 percent of all declared chemical weapons held by signatories have been destroyed. Only three nations, Libya, the Russian Federation and the United States,



still hold chemical weapon stockpiles. Additionally, an undetermined number of production facilities remain undestroyed or unconverted.

In 2013, numerous media reports alleged that the government of the Syrian Arab Republic had used chemical weapons in the Syrian civil war. A United Nations investigation confirmed the use of sarin in an August 2015 attack in Ghouta. Both the Syrian government and opposition forces blame the other for its use. In December 2013, the Syrian Arab Republic, under intense international pressure, ratified the Convention. As of December 2014, 98 percent of all Syrian stockpiles had been destroyed.

Much work still remains to be done in achieving full implementation of the Convention. Of the States Parties, three still have chemical weapons to be destroyed. The Russian Federation has committed to an extended timeline for the complete destruction of remaining chemical weapons by 31 December 2015, while 90 percent of the United States' stockpiles have been destroyed. In the interest of public health and environmental concerns, the remaining stockpiles in the United States are to be chemically neutralized; as such, no definite timeline has been established for complete destruction.

The Convention also calls on ratifying parties to adopt legislation echoing the tenets of the Convention to prohibit the development and production of chemical weapons. Of those States that have ratified, 97 have yet to draft and enact such legislation. National legislation is intended as an enforcement mechanism that can curtail the acquisition and use of chemical weapons by non-State actors. Additionally, many chemical weapons production facilities are as-of-yet still standing or have not been converted for non-chemical-weapons purposes.

These remaining concerns will prompt further action, including the monitoring of former chemical weapons production facilities to ensure their disuse or conversion. With only three States representing 20.1 percent of the pre-Convention stockpiles, the progress of those States that have not yet met their obligation to destroy remaining chemical weapons must continue to be observed. Unwillingness or inability to finance disarmament, coupled with the inability to destroy or convert chemical weapons or facilities on an accelerated timeline, continues to plague those States who have yet to sign the Convention. Regional conflict could also preclude the destruction of chemical weapons stockpiles within the Member State or by non-State actors. This may also validate a need for exceptions to the provisions of the Convention on a case-by-case basis.

Questions to consider from your government's perspective on this issue include the following:

- What are the barriers to achieving full ratification of the Convention?
- How can the international community ensure that existing chemical weapons stockpiles are eliminated?
- How can the United Nations and the international community prevent the acquisition and use of chemical weapons by non-state actors?

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THE GENERAL ASSEMBLY SECOND COMMITTEE

ECONOMIC & FINANCIAL

PURVIEW OF THE GENERAL ASSEMBLY SECOND COMMITTEE

The Second Committee makes recommendations on means to improve the economic development of Member States and maintain the stability of international financial and trade networks. The economic issues considered by the Second Committee are distinguished from those considered by the Fifth Committee in that this Committee deals solely with financing the economic assistance to Member States, whereas the Fifth Committee addresses the budgetary issues within the United Nations System. The Second Committee does not address social issues that affect development; such issues are considered by the Third Committee. For more information concerning the purview of the United Nations General Assembly as a whole, see page 22.

Website: www.un.org/ga/second/index.shtml

AGRICULTURE DEVELOPMENT, FOOD SECURITY AND NUTRITION

The World Food Summit of 1996 defined food security as “when all people at all times have access to sufficient, safe, nutritious food to maintain a healthy and active life.” Food security is a complex sustainable development issue and is intimately tied to agricultural development, nutrition and health. Additionally, it affects both economic development and trade. The United States Agency for International Development (USAID) estimates that one billion people go to bed hungry each night, including 200 million children. Both physical access to food and affordability are issues with global ramifications. As the deadline for the Millennium Development Goals approaches this year, and with the global population estimated to reach nine billion by 2050, the issues of agricultural development, food security and nutrition become even more important.

The issue of sustainable agriculture and food security was first raised at the third session of the United Nations Commission on Sustainable Development (CSD) in 1995. It was noted in the Commission’s report that progress had been met in certain regions, but that sustainable agriculture had not progressed far enough on a global scale. This concern was reiterated at the World Food Summit of 1996, where representatives called for at least halving the number of malnourished people by 2015. This was specifically tied to the Millennium Development Declaration of 2000 through Millennium Development Goal (MDG) one: eradicate extreme poverty and hunger. Thus far, the MDGs have framed the United Nations topic for this discussion, although the 2008 global economic recession spurred a food crisis, leading to the G-8’s 2012 creation of the New Alliance for Food and Security.

Agriculture is the largest employment sector in most developing countries and is crucial to a country’s food security. The ability to produce nutritious, healthy food options within one’s own borders supports a healthier, better-fed populace while stimulating the economy by reducing food imports (or increasing exports). Some argue that increasing global trade in food reduces employment opportunities within domestic agricultural sectors; it, therefore,

may be important for States to closely examine trade agreements and tariffs to protect national food security as well as employment.

One relatively new factor relevant to food security and nutrition is the creation and cultivation of genetically-modified organisms (GMOs). While the World Health Organization (WHO) has stated that GMO foods currently on the international market pose no scientifically verified threat to human health, some States, especially in Western Europe, have at least partially banned these foods from production and import. Additionally, the GMO seed and associated fertilizers, herbicides and pesticides can be difficult for small and subsistence farmers to afford. Supporters counter that this technology allows important crops to grow in otherwise-difficult climates and increases the yields of staple crops in order to meet the nutritional needs of a growing population. Both private and governmental organizations are still determining where these new technologies fit in the broader landscape of sustainable agricultural development.

Agricultural developments address the first of the three food security pillars as outlined by the World Health Organization (WHO): availability, or sufficient quantities of food available on a consistent basis. With developments in agriculture, like mobile applications such as MbeguChoice, which allows Kenyan farmers to select which seeds suit their climactic conditions, the possibility of universal food security grows. This is particularly important for rural communities: while recent decades have shown an increasing trend toward urbanization in both developed and developing countries, approximately 75 percent of those experiencing food insecurity live in rural areas.

However, it remains important that food be able to provide adequate nutrition. WHO defines the second pillar as access: having sufficient resources to obtain appropriate foods for a nutritious diet. Lack of infrastructure is a major stumbling block to access to food security. If a State does not have the infrastructure or political stability to move produce and food from where it is produced or imported to where people live, it has failed to provide food security. If scarcity or monetary inflation make access to food impossible for citizens, the State has again failed to secure access to food for its citizens. Having identified access to a consistent source of nutritional food as a right, many developing countries in particular may require assistance, either through development or private sector contributions, to be able to provide adequately for their citizens.

The final pillar on the WHO scale is use: the appropriate use of food based on basic nutrition and care. Many States do not or cannot provide education concerning nutrition for their citizens, or they offer programs that are coupled with food that is considered highly unhealthy. In recent years, the United States has struggled with the use of government food subsidies for low-income families to purchase “junk food;” or food that is not fresh, healthy or nutritious. Critics argue that fresh, healthy and nutritious foods are consistently more expensive or difficult to procure, putting low-income families at an impasse: do they let their children go hungry, or do they purchase the more readily available, unhealthy alternatives at a lower cost that allows for adequate caloric consumption without the corresponding nutrition? Knowledge about choosing and



preparing nutritious food remains key to food security in both developed and developing countries.

With the MDG deadline passing, the global community is developing its post-2015 agenda, including the Sustainable Development Goals. Food security for all is a vital part of the new Goals, and States must take action to support it. Shifts in trade policies and conflict zones continue to erode access to affordable, nutritious food; the rise of non-State actors and their territorial gains also stifle access. Developments in agriculture must be encouraged and shared, and differences explored and compromises reached, if the international arena plans to support nine billion people by 2050. The advancement of technology, coupled with investment in infrastructure and development, will shape the conversation on food security, while water crises and global climate change threaten new populations with food insecurity and shortages. It is more important than ever that access to sustaining, nutritious food remains a basic human right.

Questions to consider from your government's perspective on this issue include the following:

- How can Member States ensure that all people have access to affordable, nutritious food?
- What agricultural policies or approaches might increase food security and affordability?
- What implications do national trade policies have on food security, and how can the international community work to mitigate any negative effects?

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PROMOTION OF SUSTAINABLE TOURISM, INCLUDING ECOTOURISM, FOR POVERTY ERADICATION AND ENVIRONMENT PROTECTION

Over the last 150 years, a series of new transportation technologies have vastly expanded travel opportunities. As both the economic costs

and the time involved decreased, global travel for pleasure and business drastically increased. The modern tourism industry was born. For many States, encouraging tourism is a national priority. The advantages are clear: increased trade, new opportunities for local businesses and new tax revenue for the State. In 2014, tourism generated more than \$1 trillion in economic activity. Many States have used the revenues from tourism to fund large-scale anti-poverty programs. Tourism can also generate a positive public perception of countries, a “soft power” trait that many States aim to cultivate. Despite the huge benefits of booming tourism, there are major drawbacks, most notably the environmental impact of the tourism industry. Every part of tourism has the potential to have a negative environmental impact, from the construction of roads, airports and infrastructure, to the pollution caused by moving more than 1 billion tourists across international borders each year. Additionally, construction of hotels, golf courses and other amenities can damage local ecosystems.

In response, States are increasingly looking at environmentally sustainable tourism models, including ecotourism. Ecotourism strives to generate “responsible travel to natural areas that conserves the environment, sustains the well-being of the local people, and involves interpretation and education.” In addition, through promoting awareness about the fragility of unique environments and communities, ecotourism strives to maximize the benefits of safe and sustainable international travel, while generating reverence for and preservation of social, cultural and biological diversity.

Tourism has been discussed at the United Nations for decades, largely because of its importance to national economies and economic development. In 1954, the United Nations held a Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism, which was attended by a number of international tourism organizations, including the International Union of Official Travel Organizations (IUOTO). In 1970, IUOTO members voted to become the World Tourism Organization (UNWTO). Most of UNWTO's work has focused on promoting tourism, developing policy recommendations on managing the tourism sector and developing international standards of ethics for both Member States and organizations in the tourism industry. In 2003, the UNWTO officially became a specialized agency of the United Nations.

The sustainability of the tourism industry first appeared on the international agenda when the General Assembly adopted A/RES/S-19/2 in 1997. The resolution tied tourism to the 1992 World Summit's Agenda 21, which focused on sustainable development as a tool to alleviate poverty. This was the first time tourism was discussed with respect to sustainability. In 2002, UNWTO unanimously adopted the 2003 programme Sustainable Tourism—Eliminating Poverty (ST-EP). ST-EP works to ensure poor segments of the population in developing or least developed countries share in the positive economic impact of tourism. Through focusing on sustainable tourism in social, economic and ecological ways, ST-EP activities play a role in alleviating poverty, encouraging development and creating jobs for the incredibly poor.

Other United Nations agencies have also taken note of the environmental impact of tourism. The United Nations Environment Programme has noted that tourism is increasingly contributing to a worldwide “loss of biological diversity,” both through habitat loss for endangered species and by exposing foreign fauna and flora to isolated environments.



In December 2012, the General Assembly adopted a resolution on sustainable tourism. The resolution was based on a report by the UNWTO and the United Nations Conference on Sustainable Development and encourages States to invest and create business ventures to promote sustainable tourism, particularly in areas of financial need. Additionally, the resolution addresses the common loss of biodiversity and the need for transparent policy to foster growth. Finally, the resolution encourages local and indigenous communities to host tourists and promote the natural environment. Other recent discussions have focused on conservation and protection of the environment, specifically with finding sustainable uses of nature through tourism.

There are new models of cooperation emerging at the regional level around ecotourism. The Central American Integration System, an economic and political organization of Central American States, encourages partnerships between non-governmental and private organizations and is an exemplary model that has seen success in Latin America. The impact this group has had on tourism and ecotourism stems from this regional agreement on peace and economic development, encouraging States to open their borders and collaborate for prosperity. This regional model could positively impact how other regional States respond and unite to create a friendlier and open environment, creating positive outcomes for both tourism and ecotourism. UNWTO reports predict further successes in preserving environmental resources and also drastically reducing poverty rates. Despite this, countries that lack infrastructure for tourism pose a different challenge, as funding such projects is difficult, regardless of their potential profitability. Countries also sometimes lack knowledge of how to effectively manage businesses and advertise to tourists, while others are stigmatized as unsafe, whether for health concerns, civil unrest, or other negative perception.

Looking ahead, there are a number of factors that Member States must consider on the issue. Current ecotourism models are often more expensive than traditional tourism models, which can diminish the economic returns that a State sees from its tourism industry. States will need to determine how to balance the economic gains of tourism with the need to protect biodiversity and the environment. States must also consider how tourism contributes to climate change, which could itself have deleterious effects on tourism-driven economies. Finally, Member States should consider what new or creative models may blend sustainable tourism with poverty reduction.

Questions to consider from your government's perspective on this issue include the following:

- How can ecotourism be harnessed to enhance international development and economic growth in developing countries while protecting the integrity and sovereignty of tourism-dependent populations?
- How has climate change directed the growth of international tourism, and what does the future hold for tourism in resource-sensitive regions?
- What can or should the international community and Member States do to support or promote ecotourism?

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THE GENERAL ASSEMBLY THIRD COMMITTEE

SOCIAL, HUMANITARIAN & CULTURAL

PURVIEW OF THE GENERAL ASSEMBLY THIRD COMMITTEE

While the Committee's areas of concern and its work often overlaps with other United Nations organs, the Third Committee focuses its discussions on social, humanitarian and cultural concerns that arise in the General Assembly. The Third Committee discusses issues with, recognizes reports of, and submits recommendations to the General Assembly in coordination with other United Nations organs, such as the Economic and Social Council (ECOSOC) and the United Nations High Commissioner for Refugees (UNHCR). For more information concerning the purview of the United Nations General Assembly as a whole, see page 22.

Website: www.un.org/ga/third/index.shtml

PROTECTION OF MIGRANTS

People move their permanent place of residence for a variety of reasons. Sometimes this movement is voluntary, as in the case of migrant workers who seek better employment opportunities abroad, while others choose to leave because they believe their home has become too dangerous. In other situations, however, the movement is involuntary, for example with the forced expulsion of a population by military forces—a relatively common occurrence. Regardless of whether their movement is voluntary or involuntary, those who leave their home country to seek permanent residence elsewhere are referred to under the global term “migrant.” This term thus encompasses a wide range of people in a wide range of circumstances and conditions, which can occasionally complicate policy considerations.

Despite the adoption by many countries of stricter immigration and naturalization policies, the twenty-first century has seen a drastic increase in international migration. According to a report released by the United Nations Department of Economic and Social Affairs Population Division, the number of international migrants reached 232 million in 2013. Half of the migrants relocated to just ten countries, with North American countries seeing the largest increase in their migrant populations. Migrants are especially vulnerable to homelessness and hunger, and have little personal security. They are often uniquely vulnerable to human rights abuses due to language barriers, uncertain legal status and having limited access to services such as healthcare, education, or public assistance. For example, undocumented migrants are unable to seek legal protection from the State in which they find themselves and are essentially at the mercy of their employers, who may take advantage of this situation to violate labor laws and even commit violence. They are also vulnerable to, and frequently targeted by, kidnappers, human traffickers and sexual predators.

While migration has been common for centuries, it was enshrined as a human right in the Universal Declaration of Human Rights in 1948. Article 13 of the Declaration states that every person has a right to leave his or her own country, as well as to return to that country. However, the Declaration (along with other international human rights law) does not provide an obligation on the part of the receiving State to accept the migrant as a resident, except in narrow cases where asylum is validly sought and granted. Nevertheless, the receiving State does have obligations to protect even an undocumented migrant's human rights, such as

the right to be free from torture or forced labor. Migration affects nearly every country in the world, as a sending, transit, or receiving country, so there is global interest in migrant issues.

Drawing on the guidance from the Population Division, the United Nations developed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1990. This Convention clarified that international human rights law applies to migrants regardless of whether they are in a transit State or receiving State. The Convention also categorized migrant workers as documented or non-documented. A documented migrant worker is one whom the receiving State has officially authorized to live and to work there. The Convention recognizes the need to secure the protection for the rights of every migrant, regardless of their documentation status. However, the Convention grants certain rights—such as the right to form associations and trade unions, and the right to participate in public affairs—only to documented workers.

The United Nations is currently working toward the implementation of the Secretary-General's eight-point plan of action regarding migrants. This agenda, adopted by the General Assembly in 2013, called broadly for the protection of all human rights of migrants. In addition, the agenda aims to improve public perception of migrants, better integrate migration into the United Nations development agenda and adopt a more evidence-based approach to assisting migrants.

In September 2014, the General Assembly adopted the Report of the Open Working Group of the General Assembly on Sustainable Development Goals, which called for the protection of migrants' labor rights and workplace safety in Goal 8. Additionally, a February 2015 International Migration Meeting brought together high ranking officials within ECOSOC to discuss the position of international migration within the Secretary-General's eight-point migration plan. These officials indicated that integrating migration into the broader international sustainable development agenda is of critical importance, especially at a time when many countries are having difficulty implementing beneficial migration policies at the national level and coordinating their efforts with those of other countries.

The protection of migrants is a complex issue often involving many actors and conflicting interests at the same time. One major point of contention is determining where responsibility should lie for the protection of the human rights of migrants. Receiving and transit countries tend to argue that, especially for undocumented migrants, they should not have full responsibility for the protection of the migrants' human rights because those migrants are not legally recognized as citizens of that country. Sending countries argue that the receiving and transit countries should have at least some level of responsibility as they are in a better position to do so than the sending country, which should not be expected to guard its migrants regardless of where they may travel. Cooperation and coordination between countries is also difficult as every country involved views the migrants as someone else's problem.

Further complicating matters is the fact that many transit and receiving countries have a difficult enough time protecting the human rights of



their own citizens, let alone those of migrants. A present example is Libya, where migrants who sought jobs in Libya or who were passing through Libya on their way to Europe have recently been subjected to horrific human rights abuses and prejudices due to the political collapse of the country into warring factions. Employers have confiscated the passports of migrants who were validly working in Libya. Without valid documentation to cross the border normally, these migrants are forced to stay or to face the dangerous crossing of the Mediterranean. In Myanmar, thousands of minority Muslim Rohingya people have attempted to flee to Malaysia and other Southeast Asian countries only to be abandoned at sea by the traffickers, who have already received their payments. The migrants' own country has sometimes refused to take them back when they attempt to return because they are not recognized as citizens.

Many challenges remain if migrants are to be adequately protected as the world moves through the twenty-first century. The increase of migrants over the past few years has sparked a nationalist backlash, and openly anti-immigration political parties have sprung up around the world, particularly in Europe. The deadliest year on record for migrants was 2014, with at least 4,800 perishing on the journey from their home country. In the first three months of 2015 alone, over 185,000 migrants have sought residence in Europe. Many of these migrants have died in the Mediterranean Sea as their overcrowded boats capsized. Similar peril and human rights abuses have occurred in the waters of Southeast Asia as the Rohingya continue to leave, or try to leave, Myanmar. Protecting these migrant populations is a challenge shared by the United Nations and its Member States as well as non-governmental organizations. Some news outlets are stating that we are in the midst of a migration crisis. Accordingly, solutions must be capable of swift implementation if they are to be effective.

Questions to consider from your government's perspective on this issue include the following:

- To what extent should receiving countries be obligated to protect the human rights of undocumented migrants?
- In order to move toward the shared goal of protecting migrants, how can Member States better coordinate their efforts with each other and with the patchwork of international organizations that assist migrants?
- How can measures to protect migrants be better tailored to their unique vulnerabilities and susceptibility to human rights abuses?
- What steps should the United Nations take in order to better integrate protection of migrants into the overall issue of sustainable development?

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THE RIGHT TO PRIVACY IN THE DIGITAL AGE

The right to privacy has long been recognized in the major international human rights documents. Article 12 of the 1948 Universal Declaration of Human Rights protects against "arbitrary interference with [one's] privacy, family, home [and] correspondence." This right was also enshrined in the International Covenant on Civil and Political Rights. Subsequent articles also protect freedom of thought and expression, which were seen as complementary and essential parts of a whole. While these rights are protected under international human rights law, implementation under national law has always been a challenge. With each new technology, governments and citizens are forced to consider how the right of privacy applies to the new medium. The digital age has significantly complicated this discussion. Surveillance and widespread monitoring is far cheaper, easier and more reliable.

Increasing availability of digital information communication technologies has radically changed global norms of communication, increased access to information and expanded outlets for free expression around the world. Many of the effects have been good, including dramatic reductions in the cost of doing business around the globe, the development of new tools for human rights activists and increased access to educational opportunities. Yet the widespread adoption of these technologies poses new challenges, as well. Governments, individuals and private companies are able to conduct surveillance and to intercept data on a new scale. Governments, in particular, can carry out widespread digital surveillance more effectively, as the cost of communications technologies has plummeted. While some States argue that surveillance is necessary to prevent crime or terrorism, citizens, civil society groups and other governments have raised concerns about just how far a State should be able to reach into the digital transmissions of its citizens or other people and organizations around the world.

The United Nations has been considering how the right to privacy applies to the digital age since 1990, when the General Assembly adopted



the Guidelines for the Regulation of Computerized Personal Data Files. The Guidelines were intended as a general outline of how individual States should address the issue through national legislation, outlining the minimum guarantees that should be provided. The Guidelines state that Member States should refrain from using information about persons in “unfair or unlawful ways” or “for ends contrary to the purposes and principles of the Charter of the United Nations.” Additionally, the Guidelines provided for broad exceptions in the event such departure is necessary to protect national security or public health, order, or morality.

In 2013, the High Commissioner for Human Rights released a statement expressing grave concerns for the impact of these extensive surveillance practices on human rights. The Commissioner pointed out the lack of proper integration, implementation and enforcement of the protections granted by the Covenant on Civil and Political Rights. The statement went on to encourage Member States to adopt legislation prohibiting State surveillance of communications save for “the most exceptional circumstances” and argued that such surveillance should always be subject to the supervision of an independent judicial body.

Following the Commissioner’s report, the General Assembly adopted a resolution in 2014 affirming that the rights citizens hold offline must also apply online. The General Assembly called upon all Member States to review their practices, procedures and legislation regarding communications surveillance to ensure that such measures abide by international human rights law.

While the 2014 resolution was a major step in interpreting and codifying the right to privacy in the digital age, it did not fully resolve all of the issues identified in the Report of the High Commissioner for Human Rights on the right to privacy in the digital age. One central issue is how to effectively balance the need to monitor communications for law enforcement and national security while still protecting individual rights. The International Covenant on Civil and Political Rights protects against unlawful and arbitrary invasions of privacy but implies that there are legitimate reasons for surveillance. In most States, legal frameworks provide some check or safeguard to protect against arbitrary surveillance, like requiring a court order for tapping a telephone. As of yet, there are no clear guidelines about what legal standards and safeguards should be used for digital communications and data.

At the same time, States are attempting to ensure that they are able to adequately monitor communications of criminals and terrorists who might use new tools to plot attacks or cause harm to others. Some States have threatened to ban telecommunications services and companies if they do not provide back-door government access to traffic or disclose bulk information for surveillance purposes. In some cases, it has been reported that governments have used such networks to actively stifle political opposition.

The integration of technology into routine business and the day-to-day lives of people presents another problem. While previously only correspondence and some records were stored or able to be monitored, personal data has exploded in the digital age, ranging from health information to records about where and what we eat. What sort of protections are needed for these newer forms of data is a crucial question for the international community. Secondly, data storage and transfer is global. The decentralized nature of the internet means that data is often stored in multiple locations and transits multiple countries for

even routine communication. This makes data privacy a global issue: individual States cannot focus on these issues simply at the national level. Cooperation between States has become more important than ever. Finally, States must wrestle with how to adequately protect privacy when data is stored by an increasing number of private entities. The collection of data by popular websites like Facebook or by individuals puts people at risk across the globe, personally, professionally and financially, especially when targeted for monitoring and surveillance.

Events of the past few years have made the importance of this topic and the challenges involved all the more clear. Since 2014, a series of leaks by Edward Snowden and other former intelligence officials have revealed the extent of surveillance efforts by a number of governments, including the United States and the United Kingdom. Meanwhile, other States have asked Blackberry and other corporations to provide greater access to personal data for the purposes of protecting international security. Both events have fuelled a global conversation about the appropriate balance between the right to privacy and the needs of States for monitoring and surveillance.

Questions to consider from your government’s perspective on this issue include the following:

- How should States balance their obligation to protect the right to privacy with the use of surveillance tools to protect national security?
- What safeguards or legal principles should States implement to protect the right to privacy?
- How has the concept of privacy changed as digital communication technology has become increasingly ubiquitous?
- What sort of protections are appropriate or necessary for new types of personal data?

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THE GENERAL ASSEMBLY SIXTH COMMITTEE

LEGAL

PURVIEW OF THE GENERAL ASSEMBLY SIXTH COMMITTEE

The General Assembly Sixth Committee addresses issues relating to international law. The Committee not only drafts new international law, but also offers interpretations of existing international law, as well as recommendations for Members to implement international regulations through national law. The Committee also considers legal issues which affect the United Nations Secretariat and operations. The Sixth Committee does not resolve legal disputes; that is the responsibility of the International Court of Justice. For more information concerning the purview of the United Nations General Assembly as a whole, see page 22.

Please note: When considering the reports of sub-committees that may change the United Nations Charter or other legal documents, the Sixth Committee may act on provisions within that report and write resolutions appropriate to carry out any recommendations from such reports. When a topic results in a recommendation to change the United Nations Charter, the provisions laid out in Chapter XVIII and elsewhere in the Charter must be followed in the GA Plenary session, followed by submission of any approved portion to the Member States before ratification. Similarly, if this Committee recommends the formation of a new treaty or comparable legal agreement, a treaty conference would be called for during the GA Plenary session, to be held at a later date.

Website: www.un.org/ga/sixth/index.shtml

MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

Eliminating terrorism has proven to be one of the most complex and difficult challenges for the international community to resolve. Terrorism is not a new problem on the world stage. Since the beginning of modern terrorism in Russia in the late 1800s, the number of terrorist attacks has increased to over ten thousand each year by 2013. Methods and strategies for attacks have changed drastically. Advancements in technology and the rise of the Internet have allowed terrorist groups to communicate with audiences that they would never have reached just decades ago. In recent years, many new threats have arisen. Most notable is the rise of the Islamic State of Iraq and the Levant, which rose to prominence in 2011 during the Syrian Civil War. While States may focus their attention on threats and attacks from foreign nationals, attacks from domestic citizens and residents are becoming increasingly prevalent. The April 2013 bombings at the Boston Marathon in the United States and the January 2015 shootings in Paris, France highlight the ever-increasing need for States to consider the threat of terrorism from within their own borders.

For over fifty years the United Nations has been working toward the most effective way to eliminate terrorism through both regional and international cooperation while adhering to international law. The United Nations has struggled to provide a legal framework to address international terrorism, while also respecting the wishes of Member States and local laws. The 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft was one of the first attempts to combat terrorism, yet it was viewed as largely ineffective because Member States did not always comply with their obligations under the treaty.

Efforts to combat international terrorism continued in 1994 when the General Assembly adopted, by resolution, the Declaration on Measures to Eliminate International Terrorism.

This Declaration outlined the different obligations that States have in the fight against international terrorism: to apprehend, prosecute, extradite and consider prior to granting asylum if the seeker committed acts of terrorism. Further changes were made to the Declaration in 1996, including the establishment of an Ad Hoc Committee to examine the legal frameworks for suppressing terrorist activities and develop a comprehensive counter-terrorism convention to replace the patchwork pre-existing conventions and protocols. This document became known as the Comprehensive Terrorism Convention and, while debate has occurred since 1998, no draft has yet been submitted to Member States for signature. The Ad Hoc Committee's mandate was annually renewed and revised by the General Assembly until 2014, when the General Assembly voted to suspend the Ad Hoc Committee and return the debate over the draft Comprehensive Terrorism Convention to the Sixth Committee at large.

Adherence to counter-terrorism instruments remains low, and the General Assembly is continuously modifying its mandate and mission of combating terrorism in all forms. It is difficult to pinpoint the motives that drive a person or group to commit acts of terror. In some cases, it is to inflict harm on another group of people; in others, nationalist ideals are identified as the primary reason. What began at the United Nations as a means of trying to eliminate the act of terror itself soon shifted to focusing on eliminating the broader factors that may lead a person or group to commit an act of terror.

The International Convention for the Suppression of the Financing of Terrorism, which was adopted in January 2000, aims to reduce the flow of funds to terrorist groups and also reminds the international community of their obligation to respect a State's territorial integrity and sovereign equality and the precepts of international law when detaining any person believed to be involved in terrorist activities. In response to the terrorist attacks in the United States on 11 September 2001, Member States renewed their interest in creating a strong international framework to combat terrorism. On 28 September 2001, the United Nations Security Council unanimously approved Resolution 1373, calling upon all States to take specific legal and financial steps to eliminate international terrorism and implement relevant counter-terrorism Conventions.

After the 2005 General Assembly World Summit, Member States updated and amended existing conventions on combatting terrorism. Also at the Summit, world leaders pledged to adopt a new counter-terrorism strategy. In September 2006, the General Assembly adopted the United Nations Global Counter-Terrorism Strategy, which focuses future action through four pillars: addressing conditions conducive to terrorism, preventing and combating terrorism, building capacity to prevent terrorism, and ensuring respect for human rights in the fight against terrorism. This is the first time that Member States have agreed upon a concrete, coordinated plan to combat the spread of international terrorism. The Strategy also includes the Secretary-General's Counter-Terrorism



Implementation Task Force, which is mandated to coordinate efforts across the United Nations system. It offers assistance to Member States in developing appropriate policies and implementing counter-terrorism measures in accordance with international law. Recently, the Sixth Committee has been attempting to develop the draft Comprehensive Convention on Terrorism into a document that would codify the measures taken in its previous resolutions on the topic. The Committee has struggled to make progress on that draft.

Moving forward, the Sixth Committee will need to consider how to update the international legal framework to better match the policy prescriptions of the United Nations Global Counter-Terrorism Strategy. In its deliberations on this question, the Sixth Committee will need to grapple with a number of significant shifts in terrorist tactics that are not well-addressed within current counter-terrorism laws, both local and international. These tactics include the rise of cyber-terrorism, the flow of foreign fighters across borders, and the increasing use of the Internet as a tool for terrorist recruitment and propaganda. At the same time, the Committee will need to evaluate the effectiveness of the current framework of international law as it relates to more traditional terrorist tactics and to older threats, especially the long-feared possibility of nuclear terrorism. The Sixth Committee will also need to pay careful attention to the question of how to best balance the competing needs associated with preventing terrorism and protecting human rights as required by international law.

As the Sixth Committee grapples with these problems, it will likely revisit the longstanding debate over whether international law should recognize the existence of State-sponsored terrorism, or if it should confine itself to terrorism by non-state actors. This question has long been controversial. Some Member States believe that there is a meaningful distinction between violence by a state actor and violence by a non-state actor, believing that violence by a state, even when in violation of international humanitarian law, should not be considered terrorism. Many Member States believe that the failure to acknowledge State-sponsored terrorism significantly limits the capacity of the United Nations to effectively combat any form of terrorism.

Questions to consider from your government's perspective on this issue include the following:

- How would the international community's official recognition of State-sponsored terrorism affect the treatment of terrorists under national and international law?
- What aspects of international human rights law must Member States take into consideration concerning persons already convicted or facing conviction of terrorism?
- What are the implications of conflicting humanitarian, human rights, and counter-terrorism laws and Conventions? How can these be resolved?
- What impediments remain to finishing a draft of the Comprehensive Convention on International Terrorism?

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THE LAW OF TRANSBOUNDARY AQUIFERS

According to the International Groundwater Resources Assessment Centre, an aquifer is “[a] permeable water-bearing geological formation underlain by a less permeable layer and the water contained in the saturated zone of the formation.” As the world’s population has increased, so have the demands on the world’s aquifers. Groundwater from aquifers is used for all human water needs such as drinking, cooking, agriculture and hygiene. Over 200 of the world’s aquifers span country borders, requiring moderation and regulation in order to assure that the aquifers are used fairly and responsibly by the involved States. In many areas worldwide these transboundary aquifers are the sole source of fresh water. Groundwater is important but is often forgotten in regulatory and legal processes, making the need to protect aquifers increasingly important. Conflicts arise when those on one side of a border are perceived to draw more than their fair share of an aquifer’s water or when pollutants enter the aquifer from one country, contaminating the aquifer for everyone. These issues are complicated by the fact that some of the world’s most important transboundary aquifers are located in high-conflict zones in the Middle East, where disagreements over the use of these groundwater resources have existed for thousands of years.

Aquifers include recharge and discharge zones—areas which contribute water to the aquifer and areas where water leaves the aquifer. Recharge water may be supplied by rainfall, runoff from the ground or infiltration through the soil. Discharge zones include any area where water leaves the aquifer, such as springs, wetlands and wells. The exact areas of the recharge and discharge zones can be controversial, as they often extend beyond the boundaries of the aquifer itself, increasing the potential for zones to cross international borders. Aquifers may be used to extract heat and minerals in addition to water, and may also be used for the storage or disposal of any substance.

Access to water is essential for human life and is widely recognized as a necessary resource for economic growth and development. United Nations involvement in encouraging sovereignty over natural resources dates back to the early 1960s. In 1962, the General Assembly outlined how Member States may allocate their wealth and resources to encourage development. However, the General Assembly cautioned that all transactions must comply with international law.

In 2008 the General Assembly, in cooperation with the United Nations International Law Commission (ILC), passed the first resolution focusing solely on the legal aspects of international aquifers. This resolution presented, without adopting, the ILC’s draft Articles on the Law of Transboundary Aquifers. These Articles outlined the responsibilities of Member States toward the status and safety of transboundary aquifers. They confirmed that each State has sovereignty over those portions of an aquifer that lie within its territory. However, they also indicated that States must utilize their transboundary aquifers in accordance with the “principle of equitable and reasonable utilization.” The Articles went on to define this principle as acting to protect the “equitable and reasonable accrual of benefits” from the aquifer: to maximize the long-term benefits of the aquifer’s water; to establish a utilization plan; and to refrain from using a recharging aquifer faster than it can be replenished.

In the resolution taking note of the Articles, the General Assembly also encouraged regional cooperation, advising States to enter into bilateral or regional agreements concerning transboundary aquifers and aquifer

systems. The United Nations further encouraged regional and international cooperation and called for any relevant UN bodies to continue technological assistance and scientific research on the issue.

Despite the efforts of the United Nations, regional cooperation has been difficult to come by and the recent past has been marked by regional disputes on the use of transboundary aquifers. Many of those disputes stem from water-shares between countries. While international treaties do need to be considered in the use of aquifers, the laws of individual countries and the boundaries of the aquifers remain key aspects. Laws regarding transboundary aquifers span more than just political policy; laws protecting ecosystems, pollution levels, commerce and many other legal issues need to be taken into account when considering the issue of transboundary aquifers.

Starting with the International Year of Water Cooperation in 2013, the United Nations continues to encourage Member States to cooperate and maintain the territorial integrity of their shared water resources. Further, the United Nations has expressed its concern for the establishment of appropriate bilateral and regional arrangements for the management of shared aquifers. Under a recent Sixth Committee resolution, the United Nations encourages Member States to consider drafting legislative agreements pertaining to key concerns, such as the equitable usage of aquifers, conservation of ecosystems and its place in the local ecosystem, as well as the life cycle of aquifers as addressed in the Transboundary Diagnostic Analysis and the Shared Aquifer Diagnostic Analysis.

The United Nations also convenes States to discuss and agree upon common approaches to protecting international water sources through Strategic Action Programmes. States have agreed upon Strategic Action Programmes in a number of areas, such as the Prespa Park Area, a freshwater lakes system shared by Greece, Albania and the Former Yugoslav Republic of Macedonia, as well as the Nubian Aquifer System shared by Chad, Egypt, Libya and Sudan.

These joint cooperation projects receive support for their ongoing efforts from the Global Environment Facility, the United Nations Development Programme, and the United Nations Educational, Scientific, and Cultural Organization (UNESCO). The United Nations provides additional resources through the International Hydrological Programme, a program of UNESCO, which participates in the multi-agency Internationally Shared Aquifer Resources Management Initiative with the International Association of Hydrogeologists. These initiatives work to improve the understanding of scientific, socio-economic, legal, institutional and environmental issues related to managing transboundary aquifers.

Implementation of standards for newly forming bilateral and multi-lateral agreements for the management of transboundary aquifers has the potential for becoming the focus of the United Nations discussions of international water policy. Some standards have already been introduced, such as the Model Provisions introduced by the United Nations Economic Commission for Europe, used to establish standards for the management of transboundary aquifers, including environmental preservation, pollution prevention and the sustainable use of aquifers.

There is a general consensus among Member States that transboundary aquifers must be used in a sustainable manner, so that rainfall and other natural sources can replenish the aquifer at a greater rate than it is being



consumed. So long as the amount of fresh water provided by aquifers is adequate to meet the needs of those reliant upon it, this principle will remain in general consensus. The Sixth Committee is concerned with how to establish principles of international law that support the shared and peaceful uses of transboundary aquifers, even when conflicts arise over those aquifers. With a growing global population, and an increasing demand for clean water for developing countries, conflicts over transboundary aquifers have the potential to become a more significant—and violent—problem in the future.

Questions to consider from your government's perspective on this issue include the following:

- How could the United Nations better encourage regional cooperation on the use of transboundary aquifers?
- What actions could Member States take to preserve the safety and integrity of transboundary aquifers without impeding on the national sovereignty of other affected States?
- What legal issues hinder the development of more effective agreements on the use of transboundary aquifers?
- What further actions could the United Nations take to ensure the lawful and proper use of groundwater resources for national growth and development?

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