

American Model United Nations General Assembly Sixth Committee

GA 6th/I/6

SUBJECT OF RESOLUTION:	Nationality of Natural Persons in Relation to the Succession of States
SUBMITTED TO:	The General Assembly Sixth Committee
SUBMITTED BY:	South Africa, Sudan, Uganda, Rwanda, Botswana, Afghanistan, Malawi, Zambia, Ghana, Ethiopia

The General Assembly Sixth Committee

1 2 2	Affirming the right of every person to a nationality, as it is internationally recognized as a fundamental human right and provides legal protections against other
3	human rights abuses,
4 5	Decempining the appropriate right of states to establish their own domestic lower of
5 6	<i>Recognizing</i> the sovereign right of states to establish their own domestic laws, as recognized in the Charter of the United Nations,
7	recognized in the Charter of the Office Nations,
8	<i>Noting</i> the importance of human rights standards established in the Charter of the
9	United Nations, United Nations Declaration of Human Rights and the Convention on the
10	Elimination of All Forms of Racial Discrimination,
11	
12	<i>Emphasizing</i> the importance of regional agreements to avoid conflict in the event
13	of succession of states, which allow states the opportunity to resolve their differences
14	through regional organizations and utilize their unique insights on cultural, political,
15	geographical and other regional factors,
16	
17	Emphasizing further the benefits of utilizing existing mechanisms in order to
18	avoid financial burdens and processing delays that might result from the creation of new
19 20	bodies,
20 21	Recognizing the importance of the role of the United Nations High Commission
21	for Refugees (UNHCR), as the United Nations agency addressing the needs of refugees,
23	in resolving nationality disputes including those challenged with the loss of nationality
24	during state succession,
25	
26	<i>Recognizing</i> the need for a comprehensive legal instrument to guide states in their
27	domestic laws to ensure alignment with international laws on nationality,
28	
29	Expressing appreciation for the International Law Commission (ILC) draft articles
30	of 2001 in the annex of A/RES/55/153 for being the first document to directly address

nationality in relation to the succession of states. 31 32 33 Strongly encourages existing regional organizations to take a proactive 1 34 role in managing conflict amongst their member states and sharing of best practices to promote and maintain peace in the region; 35 36 37 2. Strongly urges Member States to make commitments to protect the rights of all residents and foreign nationals in accordance with domestic and 38 39 international law; 40 41 3. Supports the adoption of an international declaration by the General 42 Assembly based on the ILC's draft articles, in order to reinforce general principles 43 that must be upheld in all circumstances of nationality in the succession of states; 44 45 4. Urges the upholding of the principles of state sovereignty, nondiscrimination and protection of the familial unit as outlined in the Declaration of 46 Human Rights, and further urges partnership between the UNHCR and regional 47 48 organizations to uphold these principles; 49 Suggests that the UNHCR further define their objectives regarding 50 5. resolving nationality disputes in the succession of states to avoid delays and 51 confusion with regard to assistance such as legal advice, access to resources, and 52 53 support on the ground; 54 55 Recommends that regional organizations, in order to gain access to 6. UNHCR assistance, are required to have proposals approved by the UNHCR that 56 outline their process of dealing with issues of statelessness; 57 58 59 *Encourages* the inclusion of a provision in the protocol allowing stateless 7. individuals that are not accurately represented by their states the option to appeal 60 directly to the UNCHR and/or their regional organization to ensure their right to a 61 62 nationality is upheld; 63 64 Further Encourages that if a state is not accurately represented by a 8 65 regional body, the state may appeal directly to the UNHCR to ensure issues of nationality are avoided; 66 67 Recommends that the sharing of best practices extend to discussions 68 9. between regional organizations to enable outside perspectives to be incorporated; 69 70 71 10. Strongly suggests that the UNHCR present a report of their objectives at the 2011 General Assembly session, and have its implementation thereof reviewed 72 73 at the 2014 General Assembly session; 74 11. Calls for all parties involved to ensure equal treatment of all ethnicities when dealing with state citizenship during state succession;

12. Passed, Yes: 47 / No: 29 / Abstain: 34