



*American Model United Nations*

## **General Assembly Third Committee**

GA Third/II/2

SUBJECT OF RESOLUTION:      Protection of human rights and fundamental freedoms while countering terrorism

SUBMITTED TO:                The General Assembly Third Committee

*The General Assembly Third Committee,*

1        *Reaffirming* the purposes and principles of the Charter of the United Nations,

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3        *Reaffirming* the Universal Declaration of Human Rights,

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5        *Reaffirming further* the Vienna Declaration and Programme of Action of 25 June  
6 1993,

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8        *Reaffirming also* that States are under the obligation to protect all human rights  
9 and fundamental freedoms of all persons,

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11        *Recalling* the General Assembly's resolution 68/178 of 28 January 2014,

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13        *Further recalling* the General Assembly's resolution 66/171 of 30 March 2012,

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15        *Recognizing* that every citizen is entitled to the protection of their basic human  
16 rights as defined by the Universal Declaration of Human Rights,

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18        *Considering* that violations of human rights poses a threat to the international  
19 community as a whole,

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21        *Condemning* all crimes and violent actions committed by terrorist groups and  
22 organizations,

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24        *Noting with concern* the current trend of restrictions on the fundamental freedoms  
25 of all persons in the name of security,

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27        *Concerned* with the negative living conditions of people affected by terrorism and  
28 counter terrorist actions,

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30        *Acknowledging* the difficulties that Member States go through in their struggles  
31 against terrorist groups and organizations,

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33        *Further acknowledging* the need for more efficient channels of communication

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34 between Member States in issues regarding counter terrorist intelligence,

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36 *Bearing in mind* the legal complications that arise when prosecuting terrorist  
37 groups and organizations,

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39 1. *Urges* Member States that have been recognized as high-risk areas to develop  
40 safe haven areas within their borders where individuals or refugees who have been  
41 affected by counter-terrorist actions could gain access to increased support from  
42 governmental and volunteer service providers, thus:

43 (a) Ensuring they are able to overcome the damage caused by terrorist attacks and  
44 counterterrorist activities, so they can fully integrate themselves into society;

45 (b) Allowing accredited Non-Governmental Organizations (NGOs) and other  
46 organizations like The United Nations Children's Fund (UNICEF) to provide food,  
47 shelter and health care to those displaced by the aforementioned events;

48  
49 2. *Suggests* national governments and law enforcement agencies collaborate with  
50 the most vulnerable populations in their areas in order to:

51 (a) Assist these populations in the development of the appropriate security  
52 systems and facilities to prevent future terrorist acts or mitigate the damage from future  
53 terrorist attacks;

54 (i) These facilities would be staffed by members of the vulnerable communities in  
55 order to ensure the protection of their members;

56 (ii) The security system will provide appropriate communication channels for  
57 members of these communities to raise concerns regarding threats to their human  
58 rights and freedoms, as well as possible abuses by either terrorist groups  
59 controlling the region or law enforcers with jurisdiction over their territory;

60 (b) Develop national and regional supervision groups that will serve as security  
61 consultants for the aforementioned vulnerable populations;

62  
63 3. *Invites* Member States to increase bilateral and multilateral information sharing  
64 with respect to terrorist groups and terrorist group activity by connecting international  
65 and national law enforcement agencies with their counterparts and other countries in  
66 order to:

67 (a) Allow law enforcement agencies to develop best practices to identify and  
68 eliminate terrorist groups;

69 (b) Ensure law enforcement resources are allocated in the most efficient means  
70 possible;

71 (c) Ensure that law enforcement agencies have access to as much information as  
72 possible about the terrorist groups operating within their borders;

73  
74 4. *Encourages* the use of already existing international database on terrorists and  
75 terrorists activities under the auspices of the International Criminal Police Organization  
76 (INTERPOL) in order to keep track of known terrorist individuals, terrorist groups and  
77 terrorist activities to ensure that law enforcement agencies focus their efforts on  
78 individuals already known to have engaged in terrorist activities, rather than the creation

of more invasive information gathering techniques that infringe upon the rights of innocent civilians;

5. *Recommends* the development, under the purview of the Counter Terrorism Committee (CTC), of an Information Exchange Database (IED) — a platform by which government parties can effectively share information transparently in order to prevent the proliferation of accidental human rights violations while countering terrorism across international borders — concerning the following data and parameters:

(a) The database will include an online platform by which civilians can contribute, providing information on potential suspicious activities they have noticed;

(b) The regions in which terrorist activities are most prevalent;

(c) Any and all assets, supplies, and technologies at the disposal of terrorist groups, with particular emphasis on financial ties to subsidiary or dark money organizations that could be assisting with procurement;

(d) The typical recruitment techniques of militant and terrorist groups, including measure to document the following:

(i) Regionally dependent at-risk factors that groups exploit;

(ii) Analysis and research into the rate at which migrant workers join extra-government military groups;

(iii) General satisfaction of government policy and action;

6. *Recommends* international and national governments and legislators to collaborate with the United Nations Office on Drugs and Crime in order to research and implement best practices with respect to the prosecution of individuals suspected of terrorist actions, including but not limited to:

(a) Presumption of innocence;

(b) Equal access to evidence;

(c) Equal access to legal representation;

(d) Uninterrupted access to judicial due process;

(e) Access to safe and secure detention facilities for the duration of their trial;

(f) Freedom from torture as stipulated in the Universal Declaration of Human

Rights;

7. *Resolves* to deter any and all possible violations of human rights in countering terrorism, as defined by the Universal Declaration of Human Rights, by cooperating with an international court of law, provided that the state of the defendant be party to the court and agree to its due process, with the following stipulations:

(a) The State of the defendant has the right to hold a similar trial in its court of law;

(b) The Court receives full cooperation and permission from the judicial branches of the defendant's State, as well as any regional bodies that may be involved in his/her arrest or detainment;

8. *Commends* the establishment of Regional Criminal Tribunals (RCTs) in lieu of international courts, in order to ensure that regional cultural and religious differences are

thoroughly considered in rulings, with the following recommendations:

- (a) RCTs will be located in a city of the Tribunal's choosing within the region in question;
- (b) Each participating country party to the RCT will have the opportunity to appoint a representative from its judicial branch, in order to serve as a judge on the RCT:
  - (i) Judges would be elected on an annual basis;
  - (ii) Intra-RCT transparency measures will be followed to ensure a strict policy of anti-corruption;
- (c) The Security Council is encouraged to participate and/or advise during the creation of these RCTs;

9. *Encourages* Member States with more experience in legal issues regarding terrorism and human rights to advise other nations that require assistance in the matter.

Passed, Yes: 62 / No: 10 / Abstain: 17