

AMERICAN MODEL UNITED NATIONS INTERNATIONAL ISSUES AT AMUN REPRESENTATIVE HANDBOOK

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ISSUES AT AMUN 2003

INTRODUCTION

The *Issues at AMUN Handbook* has been published to assist Representatives in their preparations for the American Model United Nations (AMUN) Conference. When utilized to complement the research students do on the nation they represent and the topics of discussion, this handbook provides Representatives with all the substantive information they will require to function effectively at the simulation. Its sister handbook, *AMUN Rules and Procedures*, provides an overview of the committee/council rules and conference logistics with which Representatives need to familiarize themselves for the simulation.

The following pages contain brief overviews of the topics to be discussed in the Committees and Councils at the 2003 Conference. These are intended as a guideline and basis for Representatives' further research of the issues involved. In keeping with this, each overview includes a bibliography to guide Representatives on appropriate sources of additional information.

The overviews give a brief background into each topic and state some areas of current United Nations (UN) and international activity on the topic. In many cases, the overviews will frame the topic in terms of a few, limited parts of a highly complex issue. For example, the general issue of "the Environment" may have dozens of sub-issues -- in such a case, the overview may provide direction for Representatives to concentrate their research on "Ozone Depletion" and "Limiting the Destruction of the Rain Forests," only two of the many smaller issues. This format allows Representatives to go into greater detail in their preparations, without the need to research all aspects of the multifaceted main issue.

Chapter I - The United Nations is provided as essential background to give all Representatives a common ground about the history of the UN. This section begins with the origins of the UN and covers some important points about the organization. Finally, focus is given to problems confronting the UN today.

AMUN's philosophy in providing these topic overviews is to give Representatives *direction* in their research, but to leave the work up to them. **These overviews are not intended to be the sole source of Representatives' research on the topics prior to the conference.**

USE OF THE INTERNET

Note that many of works cited in this *Issues at AMUN Handbook* are resources located on the World Wide Web. Full text of many of AMUN's periodical sources are available to AMUN participants on-line. Feel free to visit AMUN's homepage at www.amun.org for a full list of recommended research links.

Three on-line sources of particular note are the United Nations homepage (www.un.org), *UN Wire* (www.unwire.org), a daily briefing on UN issues provided by the United Nations Foundation, and the *New York Times* on-line (www.nyt.com). These sources are heavily referenced throughout the issues briefings in this handbook. Additionally, the on-line copy of this handbook, also available from AMUN's homepage, contains direct links to all available documents cited in the *Issues* bibliographies.

For a more thorough discussion of on-line research sources, see "Utilizing the Internet" on page 14 of the *AMUN Rules and Procedures Handbook*.



CHAPTER I.

THE UNITED NATIONS

Representatives participating in American Model United Nations should be familiar with the history of the United Nations, as well as the rapidly changing role that the organization plays in international affairs. This section is intended to provide a brief background on the UN system and on some of the issues it faces today.

ORIGINS OF THE UNITED NATIONS

The United Nations came into existence on 24 October 1945. On that day, the United Nations Charter became operative, having been signed by the fifty-one original members.

The concept of all nations' uniting together in one organization designed to settle disputes peacefully was born of the desire of civilized nations to avoid the horrors produced by the First and Second World Wars. The United Nations developed as a successor to the League of Nations, which represented the first attempts by nations to achieve this unity. The League failed in large part because the United States never joined as a member.

In 1942, President Roosevelt first coined the term "United Nations," when the Declaration of the United Nations was signed by forty-seven nations in support of the Atlantic Charter. In 1944, the United States, United Kingdom, USSR and China met in Washington, DC at the Dumbarton Oaks Conference, where the first blueprint of the United Nations was prepared. In 1945, the final details for the United Nations were worked out at the Yalta Conference. Fifty-one nations gathered from 24 April through 26 June in San Francisco to draft the Charter of the United Nations, which was signed on 26 June 1945.

PURPOSE OF THE UNITED NATIONS

The primary purposes for which the United Nations was founded are detailed in Chapter I, Article 1 of the Charter. These are:

1. To maintain international peace and security;
2. To develop friendly relations among Nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinctions as to race, sex, language and religion;
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

HOW THE UNITED NATIONS SEEKS TO ACHIEVE ITS PURPOSE

Since 1945, the United Nations has established itself as a forum for the discussion of international disputes. Also, Member States recognize that the United Nations has an established machinery which can be utilized as the means of solving international problems.

The United Nations seeks, both through its principal organs and various subsidiary bodies, to settle disputes through peaceful means, without resort to the threat or use of force. It should be recognized that the United Nations is not a world government, nor does it "legislate." Rather, the actions of the United Nations, as evidenced by resolutions passed by its bodies, have a strong moral persuasive effect. The Member States frequently find it within their own best interests to follow UN recommendations.

STRUCTURE OF THE UNITED NATIONS

The United Nations has six primary bodies:

The General Assembly (GA): The GA is the central organ of the United Nations. The GA has been described as the nearest thing to a "parliament of mankind," as all Member States are members of the GA, and each member has one vote. The GA makes recommendations on international issues, oversees all other UN bodies which must report to the GA annually, approves the UN budget and apportions UN expenses. On the recommendation of the Security Council, the GA elects the Secretary-General and holds the authority to admit and expel Member States. Voting in the GA is ordinarily by simple majority, although on "important questions" a two-thirds majority is required.



The Security Council (SC): The Security Council is charged with the primary responsibility for maintaining international peace and security. It has the power to employ United Nations forces and direct action against threats to the peace. Fifteen members sit on the Security Council, including the five Permanent Members (China, France, Russian Federation, the United Kingdom and the United States) along with ten “at-large” members who are elected by the General Assembly for two-year terms.

A majority in the Security Council consists of nine members voting “yes.” However, a “no” vote by any of the Permanent Members has the effect of vetoing or blocking motions.

Economic and Social Council (ECOSOC): ECOSOC is the primary body dealing with the economic, social, humanitarian and cultural work of the United Nations system. ECOSOC oversees five regional economic commissions and six “subject-matter” commissions, along with a sizeable system of committees and expert bodies. ECOSOC is composed of fifty-four Member States, elected by the GA for three-year terms.

Trusteeship Council (TC): In 1945 there were eleven Trust Territories, which were regions without their own governments. These eleven regions were placed under the TC, which helped them prepare for and achieve independence. With the admittance of Palau as a UN Member State in 1994, the TC has now completed its original mandate. The TC today is inactive, but is formally composed of the permanent Security Council members.

The International Court of Justice (ICJ): The International Court of Justice, or World Court, is the primary judicial organ of the UN, and decides international legal disputes. All UN members are automatically able to bring matters before the ICJ; however, States must agree to accept the jurisdiction of the ICJ before it can decide a dispute involving that state. Fifteen judges serving nine-year terms sit on the Court.

Secretariat: The Secretariat is composed of the Secretary-General and the United Nations Staff. Approximately 16,000 people are employed as the staff of the UN, one-third of whom work at the UN headquarters in New York City. The other two-thirds work for various subsidiary bodies of the United Nations. The Secretary-General serves a five-year renewable term.

In addition to the six main bodies, the United Nations includes a large “family” of specialized agencies and programs which the UN administers. Examples include the Food and Agricultural Organization (FAO), the International Monetary Fund (IMF), the World Health Organization (WHO), and the UN Children’s Fund (UNICEF).

BLOC POLITICS

The system of “bloc politics” in the UN is one in which nations have organized themselves into groups based on areas of mutual interest. These blocs tend to be made up of nations with similar political, historical or cultural backgrounds. They are often formed on a geographic basis, but this is not exclusively the case. By organizing themselves with other nations that hold similar interests, bloc members hope to increase their influence above the level that they would have as a single nation in the General Assembly.

Bloc politics in the UN today is a misunderstood and rapidly changing phenomenon. The necessity of blocs in the UN was formally established in 1957, when four regional groups were endorsed by the General Assembly: the Latin American, the Asian and African, the Eastern European and the Western European and Others. Since that time, the bloc system has grown to encompass many of the political, economic and military organizations of the world. Examples of the major blocs include the Non-Aligned Movement, the Group of 77, the Association of South East Asian Nations (ASEAN), the African Union (AU), the Organization of American States (OAS), the North Atlantic Treaty Organization (NATO), the Organization of Petroleum Exporting Countries (OPEC) and the European Community (EC).

Major changes in the utilization of blocs at the UN have occurred within the past five years, as explained below. Please note, however, that these groups do not have “official” standing as caucus groups at the UN, but are rather groups that meet, depending on the circumstances, to attempt to reach a consensus on various issues.

Blocs are often thought of as “Voting Blocs,” but this is a definite misnomer. They can be more realistically seen as “Caucusing Blocs:” groups which discuss issues together based on areas of mutual interest, but that often do not reach full agreement on all issues. A key consideration is that every country in a bloc will have different priorities **based on its own national interests**. Countries will often discount bloc considerations and vote in their own best interest in these priority areas.



Blocs usually attempt to form a consensus among their members which will allow them to act as a cohesive group. The effectiveness of any given bloc in exerting its positions in the General Assembly will often depend upon its ability to form a consensus among its own members. These acts of compromise form the basis of UN politics, and often must occur within the various caucusing groups before they can begin to apply to the UN as a whole.

Bloc politics have changed considerably in the last few years. Their viability as a political tool is diminishing; blocs are falling out of use. The most historically cohesive bloc, the Warsaw Pact, has ceased to exist as a military and political unit. Several other blocs, including the Western, are undergoing structural changes that will have a profound effect on the future of UN politics. The more organized blocs at present are the African Union (formerly the Organization of African Unity), the Organization of American States, and the European Community.

One often misinterpreted area of bloc politics is that of the “Third World,” or developing bloc. A “Third World Bloc” has never existed. In actuality, several blocs of developing countries have existed. The Group of 77 (now consisting of 125+ nations) is the largest and is still sometimes thought of as the Third World Bloc. There are, however, developing nations which are not members of this organization, and many members also belong to several other organizations, particularly the Non-Aligned Movement.

Representatives should be aware that the Member State they represent may no longer actively participate in bloc politics, or may vote outside of its traditional bloc based on circumstances. For example, at the June 1992 Environmental Summit in Rio de Janeiro, several Group of 77 countries including India, a previous leader of the bloc, ignored bloc positions on environmental issues and followed their own national interests when participating at the Summit. The most accurate thing which can be said about bloc politics today is that they are in a state of flux. Many states are increasingly neutral on issues on which they once held strong views and that were shared with other members of their respective bloc. Other states are becoming increasingly independent on issues, or are concerned only with regional issues. One example of a new bloc which has formed in recent years is the “Alliance Against Biopiracy,” formally known as the “Group of Allied Mega-Biodiverse Nations,” which was formed to work together on sustainable development and similar issues. This group is comprised of 12 of the most biodiverse countries on the planet (China, Brazil and India, among others), with a combined total of over 70% of the world’s biodiversity within their collective borders.

For the purposes of the AMUN Conference, blocs will not be treated as “official” bodies. Representatives are encouraged to caucus in their bloc groups **only when appropriate**. Please remember there are many issues which cross bloc lines and many opportunities to invite an “involved nation” to another bloc caucus in an effort to achieve a consensus.

CHAPTER II.

THE SECURITY COUNCIL

STATE MEMBERS

Angola	France	Russian Federation
Bulgaria	Germany	Spain
Cameroon	Guinea	Syrian Arab Republic
Chile	Mexico	United Kingdom
China	Pakistan	United States

Representatives to the Security Council should note that the agenda provided is only provisional. The Security Council may discuss any international peace and security issue brought before it. For this reason, Representatives must have a broad base of knowledge on current events in the international community. Also, the overviews provided below are only current through the publication of this handbook. **Many of the topics listed below will change significantly before the Conference, and Representatives should be familiar with the up-to-date situations.** Periodicals are one of the best recommended sources available for day-to-day updates. These include among others: *New York Times*, *UN Chronicle*, *Christian Science Monitor*, *Foreign Policy*, *The Economist* and *Keesing's Record of World Events*. Also, the UN Foundation's on-line daily newsletter, the *UN Wire*, is an excellent resource for timely information. Whenever possible, AMUN recommends that Representatives familiarize themselves with the most recent report(s) published by the Secretary-General on each situation, along with other UN documents. These can be found on the UN homepage under the Security Council documents section (www.un.org/documents/scinfo.htm). Please note that the bibliographies for these topics focus primarily on UN sources, with some news sources provided for background on important aspects of the various situations.

Initial background research is provided below for each region, with one or two topics receiving a brief analysis. Security Council representatives are neither limited to the main topics discussed nor to any of the topics listed. Should world events move in a different direction from the topics provided in this handbook, the Security Council is welcome to discuss any peace and security matter which it desires.

Please note that draft resolutions should be written on the sub-topics of each regional area: i.e., resolutions would not be written about "Issues in Africa," but rather about "The Situation in Sierra Leone" or similar sub-topics within the region.

BACKGROUND RESEARCH

ISSUES IN AFRICA

The Situation in the Democratic Republic of the Congo:

The spring of 2003 saw a serious increase in conflict in the DRC. Ongoing conflict in the Kivus region was augmented by a new series of killings in the Ituri district of eastern Congo. The Hema and Lendu ethnic groups, supported variously with money and weapons from Uganda, Rwanda and the Congolese government in Kinshasa, are engaged in a feud over land, access to resources, and local control. The conflict has become widespread and counts human deaths at 50,000 with over 500,000 fleeing refugees since 1999.

Regional powers have pledged to solve the conflict within the framework of the Launda Agreement and the Lusaka Peace Process. Pursuant to these agreements, the Ugandans and Congolese have established an Ituri Pacification Commission (IPC). The IPC is supported with commitments from the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC) and an ad hoc French-led peace-keeping force called the Interim Emergency Multinational Force (IEMF). Many outside observers have noted that both the MONUC and IEMF are too small to be effective in moving the parties toward compliance with the international agree-

ments that have been established.

Prior to the recent conflicts in the east, there had been a number of significant events toward fulfilling the terms of the Lusaka Peace Process. An inter-Congolese dialogue was facilitated by the President of South Africa and held in Sun City, South Africa from February to April 2002. This session led to the adoption of more than 30 consensus resolutions, however an all-inclusive concluding document was not reached. Among the major achievements, the Kinshasa government and the Mouvement de liberation du Congo (MLC) have agreed to a 30-month transitional period leading up to elections. The only major party not currently participating in the process is the Rassemblement congolais pour la democratie (RCD)-Goma.

In July 1999, the Lusaka Ceasefire Agreement was signed by five regional States. In response to this, the Security Council set up MONUC in November 1999, incorporating UN personnel authorized in earlier resolutions. In February 2000, MONUC's size and mandate were further expanded to over 5000 military personnel. MONUC's mandate was extended in June 2002 to run through June 2003. Missions made up of Security Council members visited the DRC over the past two years, and reported that the Lusaka agreement was broadly supported by all parties in the DRC. The people desired peace, democratic institutions, the withdrawal of outside forces, and also wanted



the rebel movements to lay down their arms.

Problems remain, however, in both the work of MONUC and in the presence of rebel and external forces. MONUC's work has been largely unfulfilled in much of the country, as the UN forces have met significant resistance from rebel groups and have been unable to deploy in many areas. Also, MONUC has yet to receive enough support from UN members to reach its full authorized strength of 5,537 troops, including observers. While Kisangani is technically demilitarized, some violence continues. Also, continued rebel activity in many rural areas, along with the continuing presence of some external troops (albeit in reduced numbers) from neighboring Uganda and Rwanda, has kept the situation contentious.

Reports of human rights violations are also still a grave concern in the eastern part of the DRC, including the systematic rape of women and girls, mass killings, and the destruction of property.

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

- How can the international community incent the various state parties now active in the DRC to cease operations and return to internationally recognized borders? Why are foreign troops still in the area?
- How can Member States be convinced to supply troops to provide for full implementation of MONUC and IEMF?
- How can the international community assist in the implementation of the Lusaka Accords and in the ongoing inter-Congolese dialogue?

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Additional Web Resources:

The "IRIN Weekly Roundup of Main Events in the Great Lakes Region" is an excellent source for that area. Provided by ReliefWeb, www.reliefweb.int
www.un.org/Depts/dpko/monuc/monuc_body.htm
 The International Crisis Group Central African Project. www.intl-crisis-group.org/

The Situation in Liberia:

The current situation in the Republic of Liberia (Liberia) involves the efforts of the United Nations, working with the Economic Community of West African States (ECOWAS) and the African Union (AU), to create peace in Liberia and avoid a potential humanitarian crisis for its population. Though efforts have been persistent, instability and violence continue.

On 17 June 2003, the parties to the conflict in Liberia signed a ceasefire and cessation of hostilities in Accra, Ghana, which also called for an international stabilization force (ISF) to help stop the spiral of violence. The ceasefire also called for the creation of a permanent comprehensive peace agreement. This has not occurred. One of the most recent examples was a UN Security Council special mission recently sent to West Africa; due to the increase in violence it had to change its itinerary, diverting its trip to Monrovia and instead going to Accra to assess the situation.

The 17 June agreement stated that the major parties to the dispute, the Republic of Liberia (Liberia), Liberians United for Reconciliation and Democracy (LURD), and the Movement for Democracy in Liberia (MODEL), would cease all hostilities. The agreement also created a Joint Monitoring Committee (JMT) that would supervise and monitor the ceasefire.

The current conflict in Liberia dates back to 1989 when President Charles Taylor invaded from neighboring Côte d'Ivoire in an effort to overthrow then Dictator Samuel Doe. After the invasion by Taylor's forces, the National Patriotic Front of Liberia (NPFL), Liberia split along ethnic lines and open civil war erupted.

In 1990, an ECOWAS peacekeeping force entered Liberia in an attempt to stabilize the situation. Eventually, the motives of the ECOWAS force were called into question when the other two factions in the civil war agreed to support an interim government chosen by ECOWAS, and the ECOWAS forces joined in the fight against Taylor's forces.

In August 1995, a peace agreement was signed which created a power sharing government between the three rival parties. Through late 1995 and early 1996, further negotiations resulted in the ratification of a formal peace plan. By April 1996, fighting had again erupted in Monrovia, signaling a failure of the peace process. Free elections were held in 1997 after a tenuous alliance was formed between the Taylor's NPFL and Nigeria. By a landslide vote, Charles Taylor became the president of Liberia. Up to that time, the civil war had claimed the lives of over 150,000 civilians and caused the forced displacement of hundreds of thousand more. The civil war also claimed the lives of many of Liberia's children, who were forced into the various rebel groups and the Liberian military.

In addition, Liberia has been accused of aiding rebels in Sierra Leone in an attempt to destabilize the government and acquire diamonds. In return for aiding rebels in Sierra Leone, the rebels helped Taylor's government increase its diamond output from 100,000-150,000 carats per year to over 6 million carats per year in the late 1990s by reportedly transferring diamonds from the mines of Sierra Leone to Liberia.

In 1999, Ghana and Nigeria accused Liberia of supporting Revolutionary United Front (RUF) rebels in Sierra Leone. At the same time, in response to the allegations, both the United States and the United Kingdom threatened to suspend international aid to Liberia. In July 2000, the Security Council passed Resolution 1306, creating a panel of experts to study the export of illegal diamonds to fund the arms trade in Sierra Leone, for the first time since 1992 when Resolution 788 (an arms embargo) was passed. The panel's report found that there was unequivocal and overwhelming evidence that Liberia was actively supporting the RUF.

The Security Council affirmed its need to react to the growing violence and instability in Liberia, and to the report created to analyze the illegal export of diamonds from Sierra Leone.

The Security Council passed Resolution 1343 enacting an arms embargo, and the possible future implementation of a diamond embargo and selective travel ban. Due to the continuing violence, further Security Council resolutions (1395, 1408, 1458, and 1478) increased the sanctions to include diamonds, timber, and a travel ban on specific individuals.

To complicate matters, in June 2003, while President Taylor was in peace negotiations in Accra, the UN Special Court for Sierra Leone indicted him for war crimes and crimes against humanity. Taylor was indicted as a direct result of his alleged backing of rebel groups. This caused Taylor to immediately return to Monrovia, thus removing one of the key players from the negotiations.

The UN is becoming increasingly concerned about the situation in Liberia. As the fighting amplifies, the international community faces a full-blown humanitarian crisis.

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

- What conditions would be required to break the deadlock between the disputing parties to get peacekeepers on the ground in Liberia? How could those conditions be brought about?
- How can the Member States convince the parties to fully implement the Akosombo peace agreement and persuade



the parties to allow humanitarian aid into the country in an attempt to avert a humanitarian crisis?

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Other Issues in Africa:

Major conflicts continue in the states surrounding Liberia, especially Sierra Leone and Côte d'Ivoire. To a large extent, conflicts in these countries can be seen playing themselves out in the current violence in Liberia. Both Somalia and Sudan suffer from a lack of a strong central authority. Warlords that rule in various parts of each country have been known to harbor terrorists, garnering increased interest from the United States and other western governments. Zimbabwe has experienced a severe breakdown in the rule of law in the last two years. Recent elections are largely viewed as illegitimate and the economic system has deteriorated with inflation as high as 500% and food shortages. Human rights violations have been noted including political violence. Although open resistance has been isolated thus far, many observers believe conditions are ripe for a major civil war.

ISSUES IN ASIA

The Situation in Afghanistan:

Afghanistan has seen major changes in its political structure over the past year. A US-led force called the Transnational Ad-



ministration (TA) has been slowly moving the country toward stability with a constitution and democratic institutions. Three issues stand as roadblocks to the success of this process. First, the constitutional framework that has been developed has been done so in secret and without representation from major parties in the northern and eastern parts of the country. As a result, the documents that have been produced are largely viewed as illegitimate among Afghans. A Loya Jirga (meeting of traditional Afghan leaders) is scheduled for October to finalize the Constitution and new elections are to be held early in 2004. Second, the TA has only been effective at establishing control in the major cities of the central part of the country. In other parts, warlords compete for authority and power as they did before the Taliban ruled. Finally, the TA's control even in the cities has been somewhat ineffective. There continue to be high levels of uncertainty and suspicion about the intentions of the TA.

The UN has been less centrally involved with the United States at the helm. However, the UN's efforts have focused primarily on three areas: rebuilding government capacity, security issues, and humanitarian endeavors. International efforts to rebuild a functioning government in Afghanistan began in November 2001 with the Bonn Conference, where political and mediation efforts were carried out by the UN Special Mission for Afghanistan (UNSM). This conference established an interim administration, led by Chairman Hamid Karzai, and called for the convening of an Emergency Loya Jirga to establish a new government. The Loya Jirga met from 11-19 June 2002, leading to the election of Mr. Karzai as President of Afghanistan.

In addition to continuing security concerns due to Taliban and Al-Qa'idah elements which remain in hiding, internal power struggles among the various Afghan factions have made governing outside of the capital a difficult (and sometimes impossible) task. In early 2002, the government's Minister for Civil Aviation and Tourism was killed by a rival group, and on 6 July Vice President Haji Abdul Qadir was assassinated in Kabul. This assassination led to US troops' taking over as security personnel for President Karzai. Disputed governorships have destabilized several provinces, and sporadic fighting among factions has occurred in seven provinces. The current administration has often been unable to quell military disturbances against regional governors it legitimately named.

In the interests of assisting in internal security issues, the Security Council authorized an International Security Assistance Force (ISAF) for Afghanistan, led originally by the United Kingdom with the support of numerous other countries. In April, Turkey assumed the leadership of the ISAF. The United States has also begun a training program for Afghan national security forces. While the ISAF has done a reasonably good job of keeping the peace inside of Kabul, it does not have the resources to provide broader security support across the country. The Interim Afghan administration estimated that an 80,000 person internal force, costing roughly \$300 million (US) per year, would be required to maintain peace and security in the country. At this time, neither the force nor the funding exist for this to become a reality.

The UN has also been very active in humanitarian and de-

velopment issues, led by the UN Assistance Mission in Afghanistan (UNAMA). UNAMA faces a daunting task, with human rights abuses, refugees and displaced people, demining, food aid, health concerns, natural disasters and women's rights issues all immediate areas of concern. In addition, UNAMA and associated efforts are all taking place in a very difficult security environment, both from internal disputes and continuing hostilities between the Taliban/Al-Qa'idah and international forces. All of these factors combine to make humanitarian aid and rebuilding a very difficult process.

One overarching concern for all of these UN activities is funding. While there were many promises of funding immediately following the removal of the Taliban, international monetary support has waned since that time. All of the above mentioned efforts will require significant ongoing funding over the course of many years, and without those funds Afghanistan is unlikely to move forward from its current situation.

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

- How can the UN help foster legitimacy for the constitutional process and transition Afghanistan to independent rule?
- How can the UN better contribute to lessening the ongoing humanitarian crisis and rebuilding efforts in Afghanistan?
- Is there any more effective way for the UN to encourage a peaceful settlement among the internal factions vying for power?
- How can funding be arranged and guaranteed for ongoing humanitarian and development efforts?
- What will happen in Afghanistan if the internal security situation does not improve, and if funding is not received?

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Additional Web Resources:

Relief Web: www.reliefweb.int -- up-to-date information about relief efforts in Afghanistan
 Assistance Afghanistan Site: www.pcpafg.org -- sponsored by the UNDP, Office of the UN Coordinator for Afghanistan and the FAO
 The International Crisis Group Asia Project. www.intl-crisis-group.org/

Other Issues in Asia:

The Democratic Peoples’ Republic of Korea’s (DPRK) re-emerging nuclear weapons program is the source of much concern globally. In 2002, the DPRK announced that it was restarting weapons grade uranium production. In early 2003, the government withdrew from the Nuclear Nonproliferation Treaty (NPT). In April, DPRK, China, and the United States met in Beijing, but without much success. With the Americans preoccupied in Iraq and Afghanistan, regional powers including China, Russia, Japan, and South Korea have been left to deal with the crisis themselves. Observers fear an en masse exodus from the NPT and regional instability if DPRK are allowed to develop weapons unchecked.

ISSUES IN THE MIDDLE EAST

The Situation in Iraq:

After more than 12 years of Security Council action, the situation in Iraq changed dramatically in early 2003 with the US- and UK-led invasion of that country. This resulted in the removal of the Saddam Hussein government, and in allied troops’ controlling the country under a US-run Coalition Provisional Authority (CPA).

Council discussions in the months preceding the invasion were highly contentious, with the US, UK and several other states arguing that military action was necessary because of Iraq’s current threat and repeated violation of Security Council resolutions. Most states on the Council, however, argued that more time was needed to allow renewed inspections to work and to determine if weapons of mass destruction still existed in that country. Following the invasion, pre-war tensions are still evident in Council deliberations, but the tone has changed.

Current discussions regard how the Council can become more involved in post-war Iraq, with a focus on rebuilding the Iraqi economy and allowing self-governance for the Iraqi people. The current political tensions are primarily over what role the UN and Security Council should now play *vis-a-vis* the authority vested in the US-run CPA. Additionally, many states have indicated a willingness to make troops available for peace keeping duties in Iraq, but in most cases this is contingent on a new Security Council resolution authorizing those forces.

A key issue at this time is the need to create a secure envi-



ronment for the large amount of work that needs to be done to restore Iraq and assist the Iraqi people. US and British forces have been under constant, albeit low-level, attack by irregular Iraqi forces. At the time of this writing, it is unknown whether these are random or coordinated attacks, but they are occurring on a daily basis. Both coalition soldiers and Iraqi officials have been targeted.

The primary goal of both the UN and US/UK-led operations is the restoration of self-government to the Iraqi people. An Interim Iraqi Governing Council has been appointed, comprised of representatives of many of the major Iraqi groups, but this is intended only as a temporary measure until democratic elections can be organized and held. In addition to facilitating a national dialogue and providing electoral assistance, other areas of concern for the international community are rebuilding the Iraqi infrastructure and providing humanitarian assistance to the many Iraqi people who are in need. The Secretary-General has recommended the creation of a new organization called the UN Assistance Mission for Iraq (UN-AMI) to coordinate the UN's role in the country. As recently noted by the SG, the challenge for the UN is to find meaningful and effective ways to assist the Iraqi people in achieving their goals.

Even more than most Security Council issues, the situation in Iraq is in a constant state of flux, with updates and changes occurring on a daily basis. Representatives should carefully track events in this country over the weeks and months prior to the Conference.

Questions to consider from your country's perspective on this issue include:

- How can the Security Council best assist the Iraqi people in achieving their goals?
- How can the work of the Security Council best be integrated into the ongoing work of the CPA in administering the country during the occupation?
- What can the Council do to best assist the Iraqi people in a transfer to self-governance?

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Additional Web Resources:

- The Global Policy Project: www.globalpolicy.org -- excellent information on the Iraqi situation, as well as many other Security Council activities
- UN information page on Iraq: www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=inspect

The Situation in the Middle East:

The situation between Israel and Palestine moved into a new phase earlier this year with the confirmation of Palestinian Prime Minister Abbas and the roll out of the "Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict" (aka the "Roadmap for Peace") proposed by US President Bush in April 2003. This plan seeks a final and comprehensive settlement of the decades old conflict, with the support of the Quartet group consisting of the US, European Union, Russian Federation and the UN.

The Roadmap is a performance-based plan, dependent on the good faith efforts of the parties and compliance with all obligations outlined in the plan, based on the foundations of the land-for-peace concept. This includes three phases: 1) ending terror and violence, normalizing Palestinian life, and building Palestinian institutions, with initial completion planned in June 2003; 2) a transitional phase, planned for June to December 2003, and 3) a Permanent Status Agreement and end to the conflict, planned for completion in 2004 and 2005. At a basic



level, the plan is designed to build a functioning self-determined Palestinian state while still ensuring the security needs of the Israeli people.

Problematically, the plan has already run into the many obstacles which have slowed or derailed all previous peace plans for the region. Terrorist attacks continue (although somewhat abated in July and early August 2003) and the Israeli government continues to both retaliate against attacks and to quietly support settlements. While some progress has been made on these fronts, it is hard to say that full "good faith" has been exercised by either party. The continued building of a fence to wall off the Palestinian territories in the West Bank is also a major point of contention at this time.

While the Security Council has supported the Roadmap, discussed various actions and condemned the ongoing violence on both sides, it is unable to take any lasting action on the situation. Like Iraq, this situation is extremely active as this handbook goes to press, and Representatives should be familiar with recent news reports on the issue.

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

- What role can the Security Council play in supporting the Roadmap? Are more changes needed before this can be a viable solution to the problems facing the region?
- Is there a way to bring the parties into compliance with their agreements made in the Roadmap document and in previous plans?

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SC/6847 (2000) - Press Release: Lebanon Withdrawal

Additional Web Resource:

Secretary-General's report on Jenin: www.un.org/peace/jenin/index.html

"Elements of a Performance Based Roadmap for Peace," www.un.org/media/main/roadmap122002.html

UN News page on the Middle East: www.un.org/apps/news/infocusRel.asp?infocusID=70&Body=Palestin&Body1=

CHAPTER III.

THE HISTORICAL SECURITY COUNCIL - 1961

STATE MEMBERS

Ceylon	France	United Arab Republic
Chile	Liberia	United Kingdom
China	Turkey	United States
Ecuador	Union of Soviet Socialist Republics	

The 2003 American Model United Nations Historical Security Council (HSC) will simulate the events of the world beginning in early 1961. Historically, the key international security concerns at this time revolve around the continuing hostilities between the United States and the USSR, the civil war in the Congo and the rise of hostilities in Latin America and the Caribbean. Another key issue confronting the Security Council is the emerging role of Secretary-General Dag Hammarskjöld, whose actions challenged the authority of the Security Council on several occasions.

In 1961, John F. Kennedy was the US President and Nikita Khrushchev the First Secretary of the Communist Party of the Soviet Union. The Shah's government was in power in Iran and the Republic of China (on Formosa/Taiwan), rather than the mainland Peoples Republic of China, was officially represented in the United Nations. Cold War tensions were progressively growing, and countries which had been colonies of the European powers were now gaining their independence and joining the United Nations.

AMUN's HSC is unique in its topics and in its treatment of those topics. In the simulation, the HSC will preempt history from the time the Council's simulation is assigned to begin. History will be as it was written until the moment the Council convenes. From that moment forward, however, Council members exercise free will based on the range of all the choices within their national character and within the capabilities of their governments.

Effective role playing for an HSC Member State will not just be a replay of national decisions as they evolved in 1961. Indeed, the problems of the era may not transpire as they once did. Beyond this, it cannot be said that the policy course a government chose in 1961 was necessarily the most wise. While rote replays must, by definition, be in character, it is not a sure thing that, given a second opportunity to look at events, any given national government would do things exactly the same way twice in a row. History is replete with the musings of foreign ministers and heads of state pining for "second chances." It will be the job of Council representatives to utilize their countries' national policies and capabilities to solve the problems and issues which may not have had adequate contemporary resolutions. There is almost always more than one alternative in any situation.

In particular, the international community has often chosen not to actively involve itself in regional disputes or political crises where it might have shown greater involvement. The UN itself has often been a bystander to regional or international conflict. This inability or unwillingness to work actively toward solutions of crises was rarely more evident than during the late years of colonialism and early years of the Cold War. Representatives will need to decide what changes, if any, could have been made to the Security Council's posture on the various issues.

While national governments often did not want international "meddling" in what they felt to be national policies or disputes, this in no way lessens the responsibility of Council members to make the effort and find ways to actively involve themselves in crisis solution. This task must, however, be accomplished without violating the bounds of the Member States' national characters. This year's simulation will have the dichotomy of many regional crises being treated as "internal" by the superpowers, and other crises which are so global in nature that the UN must become involved.

Representatives should approach these issues based on events through the final days of 1960, and should do their research accordingly. In studying their role playing assignments, it is strongly recommended that research be done on these topics using timely materials. The world has changed dramatically in the past 40 years, but none of these changes will be evident within the chambers of the HSC. While histories of the subject will be fine for a general overview, representatives should pursue periodicals from mid-to-late 1960 to reflect accurately the worldview at that time. Magazines featuring an overview of that year may give a particularly good feel for the international mood in which the simulation is set. Periodicals contemporary to the period, which can be easily referenced in a *Reader's Guide to Periodical Literature* or *The New York Times* Index, should provide a much better "historical perspective" and "feel for the times" than later historical texts.

The HSC simulation will follow a flexible timeline based on events as they occurred, modified by the representatives' policy decisions in the Council. The Secretariat will be responsible for tracking the simulation and keeping it as realistic as possible.



In maintaining realism, representatives must remember that they are role playing the individual assigned as their nation's representative to the UN. This person may have access to the up-to-the-minute policy decisions of their country, or they may be relatively "in the dark" on their country's moment-to-moment actions in the world.

In this area, the AMUN Home Government organization will frequently consult with HSC members. Representatives are welcome and encouraged, as their nation's spokesperson, to make whatever declarative statements they like. Declarative statements would include any comments or actions (including real or implied threats or deals) that an individual at the UN could normally make.

Representatives must, however, always consult with the Home Government organization before making **any** operational statements. Operational statements would include announcements of the movements or actions of military forces, as well as any other actions, which would have an effect outside of the UN. In these cases, Home Government would be equated with the actual "home office" of the involved nation(s).

OTHER INVOLVED COUNTRIES

From time-to-time, other countries will be involved in the deliberations of the HSC. Delegations representing these countries will be notified in advance by the Secretariat, and should have one or more representatives prepared to come before the HSC at any time. Because these countries will not be involved in all issues, it is highly recommended that the representative(s) responsible for the HSC also be assigned to another Committee or Council, preferably with a second representative who can cover that Committee or Council while they are away. A floating Permanent Representative would also be ideal for this assignment. These delegations will be asked to identify their representative(s) to the HSC at registration, and to indicate where they can be reached if/when needed.

BACKGROUND RESEARCH

The following are brief synopses of the main international situations facing the Security Council on 1 January 1961. The prominent events of late 1960 are discussed, as well as some questions which may face the Security Council in early 1961. This research is intended merely as a starting point for representatives' continued exploration of the topics.

THE SITUATION IN THE CONGO

On 30 June 1960, the former territory of the Belgian Congo gained independence, marking the beginning of nearly four years of civil war and violence. Under the active guidance of Secretary-General Dag Hammarskjöld, the UN was a very active player in the Congo during these years, embarking in ongoing attempts at peacekeeping in the region.

At the end of the colonial era, the Congo was ill-prepared for self-governance. Its great size, wealth of natural resources (mainly in the Katanga region), intense tribal loyalties and absolute dependence on the 10,000-strong Belgian colonial civil service placed the Congo in a precarious position. Although it had signed a Treaty of Independence and Cooperation with Belgium just prior to independence, this was never ratified, and was quickly disregarded.

The first government was a coalition, formed with two tribal leaders in key positions: Joseph Kasavubu as President and Patrice Lumumba as Prime Minister. The provisional constitution called for a unitary system, joining the Congo provinces together in one government. However, another tribal leader, Moïse Tshombe, the President of the Katanga Province, believed in a federated system, and his disagreement quickly led to Katanga's seceding from the rest of the Congo on 11 July.

Problems in the Congo began just five days after independence. From 5-9 July 1960 the Congolese army (renamed the Armée Nationale Congolaise, or ANC) engaged in a series of rebellions and mutinies, aimed at eliminating their mostly

European officer corps and installing Congo natives in command. The new, all-Congolese military created a frightening environment for the Europeans still living in and administering the Congo. On 10 July, Belgian troops unilaterally intervened in the situation, militarily reestablishing order in most of the cities. On 13 July, Belgian troops inhabited the capital city of Leopoldville.

Meanwhile, on 10 July the UN was formally brought into the situation for the first time. Ralph Bunche, the special envoy of the Secretary-General stationed in the Congo, had kept Hammarskjöld apprised of the situation as it progressed. On 10 July, the Congolese Cabinet formally requested UN help in the form of "technical assistance in the military field." The Congolese were very unfamiliar with the UN system, and while the wording for this request was suggested to them, it was the cause of many of the UN's later problems in the region.

On 13 July, Hammarskjöld invoked Article 99 of the Charter, requesting an immediate meeting of the Security Council to discuss the situation. A resolution, put forward by Tunisia and accepted, with abstentions by China, France and the UK, called for the withdrawal of Belgian troops and the establishment of UN "military assistance as necessary," per the Congolese request (S/Res/143). On 18 July, the first 3,500 UN troops, composed mainly of African regiments, entered the Congo.

The first months of the Congo crisis saw many difficulties in connection with the UN forces. The original Security Council resolution had several problems: (1) it only made clear



that the Secretary-General was to do something about the situation, not what specifically; (2) there was no timetable provided; (3) no description was given of the military assistance; (4) there was no mention of territorial integrity (the Katanga situation); and (5) UN troops were only to use weapons in self-defense and were not to become a party to any internal conflicts.

This period of time also saw intense arguments, both within the Congo and the UN, over the entry of UN troops into Katanga. These were only resolved by a personal visit from Hammarskjöld to Katanga on 12 August. Further, Lumumba grew extremely critical and distrustful of UN aid, making several ultimatums for the UN to do things his way or leave.

Hammarskjöld had taken very personal control of the entire Congo crisis, going back to the Security Council frequently for endorsement of his actions. On 8 August, the Council passed Resolution S/Res/146, backing Hammarskjöld's plans and actions, specifying the territorial integrity issue, and again demanding the departure of Belgian troops. Although the first UN troops entered Katanga in mid-August, the Belgians did not leave completely until mid-October.

In early September, Kasa-Vubu dismissed Lumumba and declared a new government, with the support of the Army Chief of Staff, Colonel Joseph Mobutu. Lumumba, in turn, announced that President Kasa-Vubu was no longer Chief of State and called upon the people, the workers and the army to rise. The Council of Ministers published a communiqué declaring the Chief of State deprived of his functions, nullifying his ordinance, revoking the Government and accusing him of high treason. In votes by both houses of the Congolese parliament, Lumumba's claim to legitimacy was supported. With the opening of the General Assembly that fall, both factions vied for the Congo's GA seat. The Kasa-Vubu delegate was seated after a long, drawn out political battle.

One of the underlying factors in the Congo crisis was the interplay of Cold War politics, with the Congo issue becoming a battleground. While the West mildly supported Kasa-Vubu and Mobutu, the Soviets and their allies supported the legitimacy of the Lumumba government and the Congolese Parliament and were providing military aid to several factions. Also, the Soviets used this crisis as an opportunity to attack Hammarskjöld. Khrushchev went so far as to attack Hammarskjöld specifically at the opening of the General Assembly in 1960. The Soviets did not appreciate the Secretary-General's "usurping" traditional Security Council authorities, and were determined not to allow him too much power or leeway.

The final major group of players in the Congo crisis was the other African states. 17 new African states were admitted to the GA in the fall 1960 session, and they immediately became an element in the negotiations and actions. While they joined the West in isolating the Soviet bloc, they were not united, and often disagreed with the West on specifics in the Congo. Three major African groups arose: those which

backed Lumumba, those which backed the actions of the UN to date and those which backed Mobutu and Kasa-Vubu.

Near the end of 1960, events once again moved toward an imminent crisis. On 28 November, Lumumba was arrested by forces loyal to Mobutu and jailed. He remained a captive at the end of the year. Katanga was still independent, with a strong Belgian infrastructure (if not troops) still in place. Finally, both the Belgians and Soviets were supplying various factions in bids to establish new independent territories.

In preparing for the situation in the Congo, representatives should become extremely familiar with the political and military climate surrounding both UN actions and actions in the Congo throughout 1960. This includes the UN and GA resolutions passed during the year. While it is inevitable that Representatives will have some idea of events in 1961, these should not form a basis for their deliberations, nor an expectation of what events might be to come.

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- S/Res/143 (13 Jul 1960), Requests withdrawal of Belgian troops and gives the Secretary-General oversight authority
- SG/933 (13 Jul 1960), Hammarskjöld's opening comments to the Security Council
- S/4482, Discussion of plan for funding Congo operations
- S/4426 (8 Aug 1960), Discussion of S/Res/146
- S/4405 (22 Jul 1960), Discussion of S/Res/145
- S/4383 (13 Jul 1960), Discussion of S/Res/143, submitted by Tunisia



Many Latin American and Caribbean countries were dealing with severe and mounting problems. The countries in this region faced the Herculean task of industrializing their economies, enacting effective land reform and establishing civilian control over the military, all at the same time. The end results of the rapidly changing political and economic climate were political and social instability. After a short period of military rule, Argentina's newly elected government had to deal with general strikes in 1959 and massive inflation. Brazil, which was attempting "fifty years of economic improvement in five," was facing an imminent reckoning with foreign creditors and growing unrest in the military ranks. In addition, civil unrest was prevalent in El Salvador, Venezuela, Nicaragua, Bolivia and Guatemala.

The deepening of mistrust between the Cuban regime of Fidel Castro and several other American states, most notably the United States, set the stage for heightened Cold War tensions. While Castro had not officially declared himself a Marxist, his populist policies, increasing reliance on the Communist Party for organizational support, and crackdown on anti-communist factions were more than enough to convince the US of Castro's intention to establish a Marxist regime in Cuba.

Moves by Cuba and the USSR to form stronger political, economic and military ties raised the possibility of a Communist military presence in the heart of the Americas, which would undermine the entire inter-American system of alliances, treaties, international organization and tacit understandings. Even without the establishment of bases by Communist powers, activities of Soviet bloc nations in supplying arms and military advice to an American state presented problems of hemispheric defense, and thus international politics.

The question of exactly what might constitute extra-hemispheric interference and aggression in the Americas again came to the fore. At a less apparent level, a government that specifically rejected the solutions of a capitalistic economic system, in favor of a massively socialized economic structure, posed an obvious problem in containment.

In turn, Cuba accused the US of promoting plans for intervention in Cuba, protecting Cuban war criminals, providing training facilities for counter-revolutionary elements, and multiple violations of Cuban air space. This situation was highlighted in the Council in July 1960, when the Cuban government requested a meeting to discuss what it termed "repeated threats, reprisals and aggressive acts" by the US against Cuba. The Council responded with Resolution 144 (19 July), which deferred the issue until a report was received from the Organization of American States, and called on all parties to reduce tensions in the region. While Cuba hoped for stronger language, the presence of a US veto precluded any more serious result.

Current issues facing the Council include the possibility of increased tension between Cuba and other states in the region and the likelihood of new political instability caused by political and economic development crises in the region.

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OTHER OPEN ISSUES

Any issue on the world scene in 1961 will be fair game for discussion in the Historical Security Council. Representatives should have broad historical knowledge of the world situation as it stood through 1 January 1961. The following are two general issues, which may continue to influence the work of the Council through 1961.

Security Council / Secretariat Cooperation

During its early years, the UN was generally allowed only those duties the great powers were willing to cede to it. In that context the relationship between the Security Council and the Secretary-General and his Secretariat was rarely acrimonious. The UN was rarely an active power broker in a crisis situation.

The relative lack of real international responsibility within the Secretariat quickly began to evaporate with Dag Hammarskjöld's 1953 succession of Trygve Lie. Hammarskjöld's perception of the ideals of the UN may not have been more expansive than those of his predecessor, but he was significantly more willing to take action. As Secretary-General he greatly extended the influence of the UN with his peacekeeping efforts, particularly in the Middle East and Africa.

Hammarskjöld took an activist view of the concept of "Good Offices." Though rebuffed, he attempted to intercede during the Suez Crisis, and was constantly working to engage one Middle Eastern player or another. Hammarskjöld was most active, however, in the many African disputes of the era, especially in the later 1950s as decolonization reached its peak. Hammarskjöld regularly did more than just offer the good offices of the Secretariat. He was an active believer in the role

of UN peace keeping forces.

Under Hammarskjöld, UN “Blue Helmet” forces were deployed to more areas of dispute and in greater numbers than at any time before or since. Given the level of interference often placed in the path of such operations, the troop levels deployed to the Congo were nothing short of staggering. Hammarskjöld’s activist view of the office of Secretary-General and the Secretariat often led to tensions, both within the UN bureaucracy and between the bureaucracy and Member States. Hammarskjöld was willing to take actions without having first gained what others accepted as “full approval” for those actions. The use of peace keeping forces, without specific Security Council resolutions allowing engagement of those forces, is but one example. Hammarskjöld often defended his actions on the general principles of working toward the maintenance of international peace and stability, or on expansive views of General Assembly actions and authority.

Regardless of where the authority for action derived, the activist nature in which the office of Secretary-General was viewed (both by the SG and by his Secretariat support staff) led to many internal UN disagreements. Several Member States publicly expressed disapproval with what they viewed as the Secretary-General’s meddling in what were otherwise sovereign affairs or policies. It was, in fact, just this attitude that led to the Soviet attempt to have Hammarskjöld removed from the post of Secretary-General.

Relations Between the Great Powers

In 1960, Cold War tensions between the US and the USSR were reaching their highest levels. While many small events occurred during the year, a key political issue involved the shooting down by Soviet missiles of a US U-2 military plane as it flew over Soviet air space. This event, which took place during a Four Powers (France, USSR, UK and US) Summit in Paris on 1 May, significantly increased the already high levels of geo-political tension. The Security Council took up the discussion under the heading “The Question of Relations Between the Great Powers,” and discussions were held in several meetings from May through July 1960. A draft resolution concerning the violation of Soviet air space failed due to a lack of majority on 26 May, and this was followed with a more neutrally phrased resolution on 27 May (SC/Res/135). This resolution recommended the peaceful resolution of problems

between states, appealed to UN members to refrain from the threat or use of force in international relations, called for continued disarmament talks between the major powers, especially on nuclear issues, and urged the Four Powers to continue discussions in order to reduce tensions.

The USSR again complained to the Council of continuing aggressive acts by the US Air Force, and was met with repeated US denials. This led to an additional three draft resolutions in July, but each failed due to negative votes by Permanent Members of the Council.

It is in the context of these relationships that the Security Council must again take up the crises of the 1961 time period for this simulation. The Council’s ability to act, and the efficacy of such action, could be predicated on overall UN activity, and on the actions of its member states relating to this activity.

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Throughout the year 1960, *The New York Times* is an excellent reference source for information on internal UN politics and activities.



CHAPTER IV.

THE GENERAL ASSEMBLY

All delegations are represented on each committee of the General Assembly. Two topics will be discussed in each committee, as listed below. Any resolutions passed on these topics will be automatically submitted to the General Assembly Plenary session for final approval. To allow all Representatives an equal opportunity for preparation, resolutions will only be accepted on the topics listed in this handbook. No new topics will be accepted in the General Assembly.

Each of the Main Committees of the General Assembly are assigned specific tasks and topics to discuss during for the session. Since all Member States are seated on each of these Committees, it is important to note that the topics of discussion usually do not overlap, or when they do each Committee is responsible for discussion of a very specific area within that topic. Participants in each Committee should take care to not expand the discussion of their topic in a direction that would normally be discussed by another Committee. As an example, the Sixth Committee might discuss a topic that deals with the legal issues faced by states in alleviating poverty and improving the legal climate in each state, but this Committee would not discuss the broader topic. A full treatment of the poverty topic would be left to the Third Committee or more likely to ECOSOC. A brief description of each Committee simulated at AMUN is provided below, along with that Committee's web page link.

- First Committee: www.un.org/ga/57/first/index.html -- agenda items relating to disarmament and international security are allocated to this body.
- Second Committee: www.un.org/ga/57/second/index.html -- agenda items relating to economic and financial matters are allocated to this body.
- Third Committee: www.un.org/ga/57/third/index.html -- agenda items relating to social, humanitarian and cultural matters are allocated to this body.
- Sixth Committee: www.un.org/ga/57/sixth/index.html -- agenda items relating to international legal matters are allocated to this body.

BACKGROUND RESEARCH

THE FIRST COMMITTEE (DISARMAMENT AND INTERNATIONAL SECURITY)

THE ROLE OF SCIENCE AND TECHNOLOGY IN THE CONTEXT OF INTERNATIONAL SECURITY AND DISARMAMENT

The issues of technology transfer, the regulation of existing and future technologies, and the relationship of these concepts to disarmament have been and continue to be important to the UN and its Member States. Technology transfer among member states is often strained by politics as well as the “dual-use” of many technologies for civilian and military applications. The regulation of technology through multilateral treaties and other control regimes has proved difficult, as some states wish to pursue limited access control regimes, especially in the case of nuclear technologies. Disarmament has a close relationship with both technology transfer and the regulation of science and technology. Disarmament often cannot occur without the regulation of existing technologies, while problematically the transfer of certain technologies can undermine disarmament. These issues primarily impact developing states, whose societies seek access to new technologies for development and economic growth. Unfortunately, states that possess such technologies are often hesitant to share them given underlying military, political, and relative power concerns. Disarmament linked with non-proliferation is often seen by developing states as a hindrance to success, because without disarmament, non-proliferation cannot be fully addressed.

In the past, the UN has made attempts to advance the

transfer of technologies to increase development, with only limited success. In his report on 2 July 2002, the Secretary-General noted that the financial constraints of the International Conference on the Relationship between Disarmament and Development limited the number of programs that could be pursued and that further work was still needed (A/57/167, 2 July 2002). Technology transfers between Member States remain somewhat limited, and often decisions are based upon politics and less upon practical needs for technology for development. With regard to multilateral control regimes, the Chemical Weapons Convention (CWC) addresses proliferation concerns originating from unregulated transfers of technology, while at the same time promoting the economic development of Member States. In addition, the UN has attempted to strengthen the shortcomings of the Biological Weapons Convention (BWC) with regard to unregulated technology transfers through the Conference on Disarmament and other UN bodies.

Currently, the UN actively promotes technology transfers of peaceful goods; while at the same time taking disarmament concerns into consideration through the development of multilateral control regimes for such transfers. Also of concern is the rise in investment in developing new military technologies, mostly on the part of the United States. With a major increase in military spending, and the accompanying propensity for the unregulated and non-transparent use of such technologies, there is much hope for greater multilateral efforts. Of particular interest is finding ways to continue to develop technolo-



gies at a rapid pace, while making sure that such developments do not destabilize the existing balance of security. Greater emphasis is being placed on the transfer of existing technologies from developed countries to other UN Member States in order to stimulate economic growth and development. Through these transactions, work is being done on developing an equitable and unbiased global regime to see that technology is transferred without concern for power or politics, and rather for development and economics.

The future of such difficult issues as equitable technology transfer, regulation of such technology, and the relationship of disarmament is uncertain. For the most part, a solution to such problems has only existing models from which to look for guidance. The Biological Weapons Convention (BWC) and Chemical Weapons Convention (CWC) control regimes mark a success in the regulation of technology, with provisions for the transfer of peaceful technologies. Nevertheless, the CWC has to compete with existing export control regimes. The challenge for the future will be to replace existing restricted regimes with universal multilateral controls. How to achieve a balance between security concerns of some Member States and the often non-parallel needs of developing states in seeking technology for development has placed a great strain on the current system. Its effect upon disarmament, with the lack of regulation of the proliferation of technology, is a major challenge. There is currently consideration toward the development of an international treaty concerning technology transfer, disarmament and development, but that is still in its infancy.

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

- What incentives do developed nations have to transfer technology that may lead to an overall decrease in their security, if such technology is not used for peaceful purposes?
- With regard to existing exclusive export control regimes, how can they be expanded to include all parties, and make them more responsive to the needs of both developing and developed countries?
- How can technology transfers be effectively monitored, and if a discovery is made that is of great concern to the world, how can it be dealt with?
- As there is no universal regime concerning the proliferation of nuclear material, and taking into account the goal of non-proliferation, how does a lack of disarmament contribute to the problem?

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- r0.unctad.org/stdev/, UNCTAD Science & Technology for Development Network
- r0.unctad.org/stdev/un/uncstd.html, UN Commission on Science and Technology for Development
- disarmament.un.org/dda.htm, UN Department of Disarmament Affairs
- www.un.org/partners/civil_society/m-disarm.htm, UN Global Issues: Disarmament
- www.unidir.org/, UN Institute for Disarmament Research

GENERAL AND COMPLETE DISARMAMENT: CONSOLIDATION OF PEACE THROUGH PRACTICAL DISARMAMENT MEASURES

Since 1996, the issue of consolidation of peace through practical disarmament has been a topic of discussion in the First Committee. The concept attempts to link weapons control, especially in the area of small arms, with peacekeeping and post conflict settlement. The nation most vocal in support for practical disarmament has been Germany, which has sponsored a series of resolutions both introducing the concept and furthering defining it in practical terms. Resolutions on practical disarmament measures often argue that "questions of control of small arms and light weapons, de-mining, and demobilization and reintegration of former combatants are increasingly considered to be crucial to effective conflict resolution and post-conflict rehabilitation" (Kastrup, 1999). Focusing on UN efforts in Angola, Liberia, Mali, Mozambique, Sierra Leone, Guatemala, El Salvador, the former Yugoslavia, Albania and Cambodia, the concept calls on states to attempt to achieve lasting peace through practical disarmament measures. The great advantage of this concept, and the programs behind it, is its practical relevance. Besides the initial UN resolution, (A/51/45N, 10 December 1996) Germany has sponsored a series of follow up resolutions, each year gaining more co-sponsors, from 42 in 1996 to 86 in 2000.

The primary initiative undertaken by the UN so far on this issue has been the establishment of the Group of Interested States (GIS). The GIS was established as part of Resolution A/52/38G (9 December 1997) in an effort to maintain momentum on efforts to introduce practical disarmament



measures as a means toward peace in post conflict regions. The GIS was established to facilitate ongoing practical disarmament, building on the progress that practical disarmament had experienced at the time, by working not only at the supranational level, but also with affected countries directly. The group is open to all willing and interested states, and holds regular meetings to discuss the effectiveness of action taken and possible future measures. The group has met six times to facilitate major projects in Central Africa, Guatemala and Albania. The Yaounde seminar in 1998 was designed to “train the trainers” and focus on the training of Central African experts in disarmament, demobilization and reintegration. A similar project was introduced in November 1998 in Guatemala that focused on combatants in Central America. The Albania project was initiated in the summer of 1999 and not only attempted to rebuild civilian infrastructure, it also sought to create a weapons collection and destruction program. Following the success of the Albanian project, a similar project has been undertaken in Niger. The GIS is determined to continue with this approach.

Currently, the UN is supporting the GIS to continue its initiatives as it has in the past. The GIS requested that the Secretary-General report to the committee on several fact-finding missions in the past year. The Report of the Secretary-General on 12 July 2002 outlines the reports of missions in Cambodia, Sri Lanka and Papua New Guinea (A/57/210). The GIS is also considering several other projects, similar to those that they have undertaken in the past. The GIS faces several problems, most of which are the usual difficulties in dealing with small arms in the UN setting. There are concerns over infringement and the right to self-defense, and more importantly, with nuclear crises appearing in several areas, opposition to “deflecting” attention away from nuclear weapons.

The GIS is considering several future actions, in line with the 12 July report of the Secretary-General. First, the Secretary-General reported that the fact finding mission to Papua New Guinea suggested that the GIS should give increased support to the Bougainville Peace process, with intense focus on creating an enhanced weapons disposal plan. The Secretary-General also reported that the mission to Sri Lanka suggested two actions to the GIS. First, there must be a lasting peace settlement; and second, there must be action taken to enhance the socio-economic situation in Sri Lanka. The committee intends to continue to develop programs in a manner similar to their previous actions.

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

- What efforts are being made by the UN, the GIS and regional governments to implement practical disarmament measures?
- What commitments or obligations has your nation agreed to in order to implement programs of practical disarmament?
- How can the UN help support the GIS in completing the goal of implementing practical disarmament?
- What new programs and projects should the GIS and the UN undertake in order to effectively implement practical disarmament measures in other conflict regions?

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- A/C.1/55/L.15, 13 Oct 2000
- A/C.1/54/L.20, 22 Oct 1999
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- A/Res/55/33 G, 20 Nov 2000, Consolidation of peace through practical disarmament measures
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- A/Res/53/77 M, 4 Dec 1998, Peace through practical disarmament measures
- A/Res/52/38 G, 9 Dec 1997, Peace through practical disarmament measures
- A/Res/51/45 N, 10 Dec 1996, Consolidation of peace through practical disarmament measures
- Assessment Mission to Sri Lanka, 11-18 Feb 2002 (Executive Summary)
- Fact Finding Mission to Bougainville (Papua New Guinea), 1-10 May 2002 (Executive Summary)

Additional Web Resources:

- www.smallarmsurvey.org/General%20Assembly.htm
- disarmament.un.org/firstcom/57reports.htm
- disarmament.un.org/cab/pdms.html, Practical Disarmament Measures



THE SECOND COMMITTEE (ECONOMIC AND FINANCIAL)

ENVIRONMENTAL AND SUSTAINABLE DEVELOPMENT: PROMOTION OF NEW AND RENEWABLE SOURCES OF ENERGY, INCLUDING THE IMPLEMENTATION OF THE WORLD SOLAR PROGRAMME 1996-2005

One of the greatest aims of the UN over the past couple of decades is the issue of creating feasible means and methods for sustainable development, especially in regards to the environment. Many Member States at the UN have a growing concern as to the consequences of the continued strains placed on an environment that has experienced over the past 100 years an 18-fold growth in world economic output and a four fold increase in the population of humans. This has led to efforts by the UN to encourage the growth of ways to strengthen new and renewable sources of energy, both through the encouragement of market incentives for the creation of new technologies, as well as a large push to disperse these new systems of renewable energy to areas of the world most in need.

One of the most prominent examples of such an effort is the World Solar Programme 1996-2005. This program was founded following the framework established at the UN Conference on Environment and Development (UNCED), held in Rio de Janeiro in 1992, specifically referred to as Agenda 21. Following the events at the UNCED, the UN Educational, Scientific and Cultural Organization (UNESCO), together with several other participating organizations both within and outside the UN, began to address the growing problems of the continuation of the current patterns in the development and use of unsustainable energy production. The result was the creation of the World Solar Programme, covering the period of 1996 through 2005. The World Solar Commission made up of 18 heads of state and chaired by the President of the Republic of Zimbabwe, Robert Mugabe, approved the program in June 1997.

The movement for the creation and use of renewable sources of energy is not, however, limited to the initiatives laid out in the World Solar Programme. Many other sources of renewable energy have been and continue to be pursued today. Such initiatives include the dissemination of renewable energy knowledge and information through the creation of regional centers dedicated to the development of new and renewable energy sources. However, due to economic reasons, funding has not become available. Nonetheless, nations such as the Russian Federation and Algeria continue to pursue the creation of such centers within their own countries. Other potential sources of renewable energy being considered include: advanced hydroelectric capabilities, wind power, biomass energy, and hydrogen. These are just some examples of renewable sources of energy being considered and pursued around the globe.

The largest difficulty faced in implementing renewable energy programs is in the area of financing such projects for lesser-developed nations, where energy systems are most needed. Recent work within the UN has complemented

nations on the pursuit and creation of renewable sources of energy and continues to push more nations to participate in cooperative partnerships in dispersing such technologies beyond their own borders. Not only does this provide renewable energy sources to areas in great need; it also aids in the establishment of markets for renewable resources, thus allowing for their continued use and expansion. Some areas of cooperation and finance do exist. One example is the global Renewable Energy and Efficiency Fund and the Solar Development Group, which originates from a partnership with the World Bank. The UN has also been somewhat successful in tying financing for the advancement of renewable resources to poverty reduction.

Recent action in the UN has focused primarily on regional organizations. One successful example is the Asia Alternative Energy Program (ASTAE). ASTAE has been successful in securing funding for programs across Asia and has been credited with being productive in bringing down barriers to alternative energy development. India has taken a giant lead in the area of renewable energy sources, contributing some of its developmental expertise to other developing countries. The UN is currently pursuing the development of an African equivalent to Asia's ASTAE within the framework of the World Solar Programme 1996-2005, although it has been largely unsuccessful due to the lack of participation of outside investment.

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

- What partnerships are being formed between regional financial and non-governmental international organizations in regards to new and renewable sources of energy?
- How can the UN more effectively forge financial partnerships to continue its commitment to the World Solar Programme?
- What kind of programs for renewable energy systems exists in your nation, and what projects are currently being funded through the UN?
- Is the current action with respect to the development of new and renewable sources of energy (specifically the World Solar Programme) within the UN sufficient to achieve the goals outlined in Agenda 21 to provide a more sustainable environment?

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SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: INTEGRATION OF THE ECONOMIES IN TRANSITION INTO THE WORLD ECONOMY

Since its founding, the UN has strived to realize all peoples' rights to live free from hunger, poverty, ignorance, disease and fear. Developing nations suffer from these problems far more than industrialized nations. One suggested solution to decreasing this gap between developing and industrialized nations has been to increase economic growth by integrating these nations into the world economy. Despite attempts at integration, a large number of developing nations still struggle with international debt problems, meeting the needs for development finance, creating an equitable trading system, and diversifying and modernizing their economies.

The Fourth UN Development Decade, beginning in 1991, began with an analysis of the progress developing nations made in financial integration during the 1980s. According to the analysis, developing nations were largely unable to achieve progress, due mostly to instabilities in the economies of industrialized nations with a large impact on the world economy. For a majority of developing nations, the decade was one of falling growth rates, declining living standards and deepening poverty.

In response to these issues, the GA adopted the International Development Strategy for the Fourth UN Development Decade, providing recommendations for integrating the economies of developing nations into the world economy. With respect to debt relief, the Strategy suggested creditor nations review their loan policies and continue to provide debt and debt-service reduction packages using external organizations. To reduce the effects of instabilities in the world economy, lending by commercial banks, direct private investment and multilateral financial institutions needed to be increased during the decade. To assist in obtaining resources through trade, the use of reverse protectionism and tariff and non-tariff barriers needed to be discontinued. The overall goal of these and the remainder of the discussions in the Strategy are to provide a means for developing nations to stabilize their economies in relation to the international economy through increased trade, improved GDP, industrial growth, debt reduction, and low inflation.

The outcome of recent GA discussions has been to provide assistance and recommendations to developing nations in transition. To this end, the GA has requested that the Secretary-General provide a report every two years containing an analysis of the progress made by the developing nations. In addition, the GA has asked internal, regional, and multilateral institutions to continue to conduct analytical activities and



provide policy advice and recommendations to developing nations. This particularly includes the Bretton Woods institutions, the World Bank and the International Monetary Fund (IMF). The GA also has as a guide, the international development strategy for the first decade of the new millennium (A/55/89, 27 June 2000).

The most recent status report by the Secretary-General indicates that, overall, developing countries have achieved a number of successes in integrating with the world economy. The Central and Eastern European and Baltic nations have increased foreign trade and investment, private sector development, and rates of growth. The overall debt of developing countries has decreased by three percent from 1999 to 2000, the first decrease since 1991. The amount of inflation in the economies in transition has also decreased dramatically. In contrast, the Commonwealth of Independent States showed less increase in foreign trade and investment and unmanageable debt levels. They have also experienced problems with exports due to distance from major importers and difficulty in finding suitable markets for their products.

The issues of debt and foreign investment remain critical to the continued development of nations in transition. Debt reduction and cancellation have been discussed as a means of assisting developing countries. However, a number of nations have stressed that this will impact future incentives to lend and will deprive other nations of resources for development. Alternative solutions have been to improve investments by better managing programs and consolidating partnerships between UN agencies, international financial institutions, and multilateral and bilateral organizations. In addition, improvements and accelerated implementation of the HIPC (Heavily Indebted Poor Countries) Initiative would allow developing countries in extreme debt to mobilize resources for integration and development.

Another important issue is that economic integration, by itself, may expose developing countries to excessive risks. According to reports by the IMF, the existence of good institutions and the quality of governance also appear to be important in helping countries benefit from economic globalization. In addition, the importance of a stable macroeconomic framework must be stressed. Developing countries are initially unable to invest at the same level as industrial countries, thus exposing them to greater fluctuations in the market economy. This, again, stresses the importance of the various organizational and institutional arrangements, to both nations that have made significant progress toward integration, as well as nations still struggling to achieve economic integration.

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

- What efforts are currently under way by the UN, regional, and financial organizations to address the issues brought forth by analysis of the countries in transition?
- What assistance does your nation provide to developing nations in transition?
- What additional steps can be taken by the UN to support

developing nations in transition?

- How can industrialized nations be encouraged to set policies that better assist developing nations in transition?

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THE THIRD COMMITTEE (SOCIAL, HUMANITARIAN AND CULTURAL)

IMPLEMENTATION OF THE OUTCOME OF THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT AND OF THE TWENTY-FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY

Social problems have been recognized by the UN as an urgent need to be addressed by all Member States. Issues such as poverty, unemployment, social exclusion, health and welfare, malnutrition, aging, and education affect every country. As a macro-level concern, social development affects all aspects of human life. As a result, the UN convened the World Summit for Social Development in 1995 in Copenhagen, Denmark, to reaffirm the importance of social development and its interdependence with economic and political development, and to develop a framework of action to address the issues of social development.

Participants to the World Summit agreed to the Copenhagen Declaration, which contains ten commitments related to a variety of issues surrounding social development. In particular, the Declaration called upon Member States to create an economic, political, social, cultural and legal environment to enable the citizenry of each state to achieve the goals of social development; to progress toward the eradication of poverty by a target date set by each Member State; to support full employment; to promote social integration based on the enhancement and protection of all basic human rights; to achieve equality between the sexes; to accelerate development efforts in Africa and the Least Developed Countries; to ensure structural adjustment programmes include social development goals; to increase overall resources allocated to social development; and to strengthen cooperative efforts between Member States and various UN agencies. The commitments were detailed in their expectations and goals to address social problems and Summit participants went to great lengths to develop national, regional, and international action plans for each commitment. At the conclusion of the Summit, Member States agreed to hold another summit to evaluate the progress being made in 2000 in Geneva.

From 26 June - 1 July 2000, 178 nations, 500 non-governmental organizations (NGOs) and 56 inter-governmental organizations (IGOs) held a follow-up summit in Geneva (Summit +5) to discuss the progress made on the commitments agreed to in the 1995 Copenhagen Declaration. It was discovered that in many areas the global community had made little or no progress and in some cases the social conditions in some countries had worsened considerably. Concerns were expressed by numerous Member States about the weakening of the ability of state governments by the forces of globalization and that this weakening was a leading factor in the lack of progress. Other nations and representatives argued that the developed nations showed a lack of overall concern for the plight of developing nations and asked that the programs developed be of a partnership nature, in which the two worlds might be on equal footing to share ideas and plan together for a better future. The African nations and relevant NGOs and IGOs brought a new emphasis to the HIV/AIDS pandemic

as a contributing factor to the regression that the continent faced and asked that greater focus be given to the pandemic as a root cause, and that the spotlight be turned to root causes across the board. New goals were set in light of the reality that faced the nations in 2000 and ten new commitments were adopted by the body. The Government of Switzerland also hosted a parallel meeting it named the Geneva 2000 Forum. This gathering explored practical and applied experiences in order to facilitate a larger understanding of positive practices and obstacles from all sides of the development situation. The findings and commitments of this meeting can be found in the Secretary-General's report (A/55/344) and the resolution adopted by the General Assembly on 15 December 2000 (A/RES/S-24/2).

Following the Geneva Summit, the General Assembly held its 24th Special Session and urged every organization of the UN to reevaluate its role in the realm of social development. UN agencies initiated programs or planned to address the points relevant to their overall role as requested by the Special Session. The organization charged with the coordination of UN efforts is the Commission for Social Development (CSD), a functional commission of the Economic and Social Council (ECOSOC). The CSD has developed a multi-year programme to focus agency work, beginning in 2002 and expiring in 2006. Each year has a focus, with stated goals and plans to educate other international organizations, both within and independent of the UN. In 2006, the First UN Decade for the Eradication of Poverty will be the next large test and evaluation of the work requested by the Member States in Copenhagen, Geneva and through the CSD. Until this meeting, it is up to the GA and the CSD to guide the progress toward their stated initiatives and commitments. The refocusing has in some cases created new non-traditional working blocs, centered on common plights and common solutions. These new blocs are working in coalition with the traditional regional, social and economic blocs to solve collectively the problems that face the developing world.

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

- Where does your nation fit in the newly created non-traditional blocs? Have these blocs been helpful in your nation's pursuit of its policy agenda in this realm?
- Where does your nation stand in relation to the efforts of the UN system to address the interrelated issues of social development?
- What, if any, solutions and experimental data can your nation bring to the discussion?
- How can the CSD working in partnership with old and new blocs address the concerns expressed by some nations over policies that meant to help, but continue to hinder their progress?

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PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD’S INDIGENOUS PEOPLE

Globally, approximately 370 million indigenous people live in over 70 countries. Compared to their respective societies, indigenous people hold differentiating social, cultural, economic and political attributes. As a unique group, the rights of indigenous people may need special protection, because their needs and concerns are different than that of the general population. Specific categories that have been identified as affecting indigenous people differently include human rights, the environment, development, education and health. Within these contexts, it is important that indigenous people retain their cultural identity and have input into issues that directly concern them. In order for this to be possible, it is necessary for respective countries and the international community to be cognizant of and understand the unique qualities of these issues. Further, indigenous people must be educated in policy matters that concern them and should be included in such matters.

In response to much-needed international awareness and indigenous education, the UN and the international community have taken many steps to these ends. In 1982, the Working Group on Indigenous Populations (WGIP) was established by the Economic and Social Council (ECOSOC) to protect the rights of indigenous people worldwide. The WGIP issued numerous programs, but most noteworthy was the creation of a declaration of rights of indigenous people from 1985-1993. If ratified, this treaty will be the most comprehensive, collective human rights initiative specifically aimed at indigenous people. Another noteworthy event was the International Year of the World’s Indigenous People in 1993. The purpose of this year was to encourage international cooperation in addressing concerns that indigenous people face. It was expanded into an entire decade in the following year in order to strengthen the dedication of the UN on these issues, and to implement programs with the purpose of promoting and protecting the rights of indigenous people. This International Decade of the World’s Indigenous People focused on improving the health, education, housing, employment, development, and environment of indigenous people.

GA Resolution 50/157 enumerates eight programs to address the focal points of the International Decade: 1) the protection of the rights of indigenous people while empowering them to make choices that enable them to retain their cultural identity; 2) educating both indigenous and non-indigenous societies on the situation, cultures, languages, rights and aspirations of indigenous people; 3) implementation of the recommendations pertaining to indigenous people adopted at the international conferences of the 1990s; 4) completion and adoption of the UN Declaration on the Rights of Indigenous People; 5) special attention by the UN system to development activities which would benefit indigenous populations; 6) creation of a UN fellowship programme to assist indigenous people wishing to gain experience in the area of human rights,



as well as other programmes of the UN system; 7) establishment of an adequately staffed and resourced UN unit on indigenous people, and requesting governments to second qualified indigenous people to assist in UN work for the Decade; and 8) worldwide observance of the International Day of the World's Indigenous People on 9 August each year. These activities were specified as the responsibility of the international community and were named the Programme of Activities for the Decade.

UNESCO, ECOSOC and the UN have been instrumental in putting this Programme into action. Following the establishment of the annual observance of the International Day of the World's Indigenous People on 9 August, a number of UN agencies have implemented programs to help indigenous people. Participating agencies including the International Labour Organization (ILO), the Inter-regional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives, the UN Population Fund (UNFPA), the World Health Organization, the World Bank, UNICEF, and UN HABITAT, to name a few. These programs range from raising awareness of indigenous issues to protecting the natural resources of indigenous people to providing health care and creating educational opportunities for disadvantaged populations. Finally, one of the most important aims of the Programme of Activities, the creation of a Permanent Forum on Indigenous Issues, has indeed been created as a subsidiary of the UN. This body has the mandate of researching indigenous issues; reporting and providing advice to ECOSOC; raising awareness on indigenous issues; and integrating activities of indigenous peoples into the UN system.

The progress of the global movement for indigenous people will most likely continue in the coming years thanks to the establishment of the aforementioned programs. Additional research and education about indigenous people is essential. Including indigenous people in policies and decision that directly and indirectly affect their lives and futures.

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

- What indigenous populations exist in your country, and what is their relationship with the government?
- How have conditions for indigenous people improved, and in what ways have conditions worsened or stayed the same?
- What has been the effect of the International Decade of the World's Indigenous People, and was the Programme of Activities comprehensive enough for the purpose of the Decade?
- What obstacles currently exist that hinders the attainment of these goals, and what new issues regarding indigenous people must be addressed in the future?

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THE SIXTH COMMITTEE (LEGAL)

STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTION OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICT

The 1949 Geneva Conventions were held as a reaction to the horrible devastation of World War II. The nations party to the conventions agreed to a series of international laws and agreements, which would, they hoped, govern warfare and prevent any undue destruction or casualties during future conflicts. In 1977, two Protocols Additional to the Geneva Conventions of 1949 were finalized concerning protection of victims of international and domestic armed conflicts. The Protocols Additional to the Geneva Conventions are specifically pointed towards the protection of victims of international conflicts, and contain numerous measures to safeguard medical personnel, clergy, civilians, journalists, and other categories of non-combatants. While 190 states are party to the Geneva Conventions, 161 are party to the first Additional Protocol of 1977, dealing with international armed conflicts and 156 are party to the second Additional Protocol. Since 1977, there have been several conferences on re-interpreting and updating the status of the Geneva Conventions and the Protocols Additional. Ways in which war is to be limited have long been considered an important subject for international law, and the Geneva Conventions are considered by many nations to be the most important tool the international community has in dealing with this subject. The International Red Cross and Red Crescent is closely linked with the history and current execution of the Conventions and Protocols Additional.

Recent global situations, like those in the Balkans, have led to a renewed interest in the Geneva Conventions. As the number of actual declared wars falls to an almost non-existent number, while the frequency of smaller, undeclared conflicts surges, there is much debate about how the Geneva Conventions might be applied. Situations in Africa, southeastern Europe, parts of Asia and Latin America, and in smaller nations throughout the world have recently yielded great humanitarian alarm. For instance, the recent fighting between Ethiopia and Eritrea, the tribal wars in Rwanda, the fighting in Chechnya, the former Yugoslavia, and Colombia can all be considered in terms of the widespread use of paramilitary forces, tactics and methods commonly associated with criminal and terrorist organizations such as kidnapping, bombings of mainly civil or public targets and assassination. Tribalism, political ideology, and/or personal ambition of some leaders have spurred on these conflicts. Nevertheless, the Geneva Conventions do not necessarily apply in these circumstances, as often the sides are formed along ethnic, ideological and religious allegiances and may transcend borders or may occur within the borders of a single nation.

The UN has served as a forum for discussing the status of the Geneva Conventions and the Protocols Additional. The Secretary-General has, in the past, delivered reports to the GA based on information received from Member States concerning the status of the Conventions and the Protocols Additional. The UN has concerned itself, as a body, with two tasks regarding the Geneva Conventions and Protocols Additional. The first is to

serve as a place for the international community to discuss these issues without formally convening a conference, and the second is to examine specific conflicts. Both the Sixth Committee and the Human Rights Commission have discussed the Geneva Conventions and the Protocols Additional in the past. While most of the actual work on the Conventions and Protocols Additional is conducted outside of the UN proper, the UN continues to be a forum for discussing transgressions and the status of these documents.

Currently, the UN is examining new ways to expand or solidify the Conventions and the Protocols Additional. Resolutions have been passed urging states not party to the Protocols Additional to become party to them. These same resolutions also call on nations party to the Protocols to ensure their full implementation. Following the 25 years since their initial drafting, the situation has changed drastically, and the UN constantly keeps itself abreast as to the concerns of Member States regarding the Conventions and the Protocols Additional. With the changing face of modern warfare, where those persons who would otherwise be considered formerly exempt from hostilities and due for protection under the Geneva Conventions have now become prime targets and essential players in many conflicts, there is much hope of firming up the content of the Protocols in the face of these new threats to the security of non-combatants.

The main concern for the UN appears to be the problems various Member States party to the Geneva Conventions have with the two Protocols. Most past, current, and likely future action has been and will be taken to address these concerns. The UN may also be able to take action to ensure compliance among states party to the Protocols, and if the UN decides the Protocols need to be amended, it may recommend that Member States meet to this end. This recent change in the dynamics of modern warfare—away from nation-state versus nation-state toward partisan and partisan versus government versus rival is making it very difficult for international peacekeepers, observers, and human rights organizations to monitor and prevent future conflicts. The recent ratification of the Rome Treaty has been a topic for discussion in light of the past concerns regarding the implementation of the Protocols Additional, and subsequent UN action may work to bolster the ability of the International Criminal Court (ICC) to deal with the vagaries of modern conflict.

Questions for consideration from your government's perspective on this issue include:

- What steps can be taken within and outside the UN system to ensure universal recognition and compliance with the Geneva Conventions and the Protocols Additional?
- How do the Protocols fit in with the commitments of various Member States to fight terrorism and deal with civil unrest?
- Does the “war on terrorism” that the UN agreed to after the terrorist attacks on 11 September 2001 require the Protocols to be re-interpreted or updated?
- To what extent can the UN act to ensure implementation of the Protocols and what legal recourse do non-combatants have in relation to the ICC and the Protocols Additional?



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www.icrc.org/web/eng/siteeng0.nsf/iwpList2/Humanitarian_1aw, The International Committee of the Red Cross

www.amnesty.org, Amnesty International

www.icrc.org/Web/Eng/siteeng0.nsf/iwpList74/77EA1BDEE

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www.crimesofwar.org/expert/genevaConventions/gc-intro.html, The Crimes of War Project

www.un.org/law/fiftythr.htm#summaries

www.un.org/law/cod/sixth/55/sixth55.htm

www.un.org/law/cod/sixth/57/sixth57.htm

THE REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION

The Special Committee on the Charter of the United Nations was established on 15 December 1975 by GA Resolution 3499 (XXX). Initially an ad hoc committee, the newly established body met in 1976 to examine questions and suggestions regarding the Charter, the strengthening of the role of the UN in maintaining international peace and security, cooperation among all nations and the promotion of the rules of international law between States. The Special Committee originally consisted of 47 Member States, until 1995 when GA Resolution 50/52 opened its membership to all Member States. The resolution also authorized the Committee to accept as observers non-Member States that belonged to the specialized agencies or the International Atomic Energy Agency (IAEA). Intergovernmental organizations could take part in plenary debates (A/Res/50/52, 15 Dec 1995). Throughout its tenure, the GA has requested the Special Committee to look at various aspects of the UN Organization in an effort develop concrete suggestions for ways to improve the various functions of the UN as prescribed under the Charter.

In 1996, the GA asked the Committee to consider proposals concerning the maintenance of international peace and security, assistance to third states affected by the application of sanctions under Chapter VII of the Charter and the question of the peaceful settlement of disputes between states, including proposals on establishing a dispute settlement service. The Committee was also asked to continue considering the future role of the Trusteeship Council. In terms of the maintenance of international peace and security, the Committee focused on a draft declaration on the basic principles for UN peace keeping missions and mechanisms for preventing and settling crises and conflicts. With the end of the Cold War between the United States and the former Soviet Union, significant demands were being placed on the UN System to respond to and address a variety of intrastate conflicts that threatened to engulf nations in close proximity to these conflicts. A number of Member States were concerned that the UN was becoming embroiled in too many operations and set out to develop basic principles for guiding the UN's peacekeeping operations. A global instrument containing a compendium of principles relevant to its activities in the field was suggested as a means of harmonizing UN policy in this area.

Another topic of considerable interest to the Member States was the issue of assistance to third states affected by sanctions. The primary concern was whether or not such assistance was a legal obligation under the Charter and that the UN should establish appropriate mechanisms to deal with the problem, including the establishment of a funding mechanism financed from assessed and voluntary contributions to help offset the economic



losses suffered by third states. It was recommended that the Security Council take the lead role in addressing this issue. During the discussions on proposed criteria for imposing sanctions, Member States noted that although sanctions had been imposed 116 times, they had achieved their objectives in only 41 instances. The success rate in the latter instances had been about 50 percent before the 1980s and some 25 percent since then. The drop was due to the destructive effects sanctions have on civilian populations -- resulting in hunger, poverty, and economic destruction -- and to their negative economic effects on third states. As a result, the Committee stressed that sanctions should be used as a last resort and applied only when there was genuine threat to peace and security.

In 1997, the Special Committee sought to address issues related to strengthening the International Court of Justice (ICJ), implementing Charter provisions on assistance to third states affected by UN sanctions and increasing the number of officers in the GA's main committees. In terms of strengthening the ICJ, feedback was solicited from Member States and states party to the Statue of the Court on the impact of increased workloads on its operations. Member States also suggested that the jurisdiction of the Court should be expanded to include disputes between states and international organizations. Concerns were raised about the difficulty in amending the Charter and the Statue of the Court to accomplish this goal, as well as its effect on the scope and purview of international organizations operating with the sanction of the UN. On the issue of strengthening the main committees, the Committee sent a draft resolution for consideration by the GA to amend the first sentence of Rule 103 of the Rules of Procedure to read: "Each Main Committee shall elect a Chairman, three Vice-Chairmen and a Rapporteur." Originally, Rule 103 allows each GA committee to elect four officers, drawn from each of the regional groups represented in the UN. Since there are now five regional groups, the proposal would ensure equitable geographical representation in the main committees' bureaux.

In 2000, the Committee was asked by the GA to give priority to an examination of the question of assistance to third states affected by Security Council sanctions, as well as to a review of its own working methods. Before the approval of its working agenda by the GA, a number of Member States raised the concern that the Special Committee was not effectively addressing key issues affecting the role of the UN in fulfilling its Charter obligations. In addition, concerns were raised that questioned the Committee's role in pushing the reform agenda ahead. The United States, in particular, emphasized that the key to the success of the UN was its ability to live within its resources and to use them where they were most needed. The ideas and mechanisms generated from past mistakes and sharing best practices were only now just being implemented. With an eye to the future, the GA subsequently instructed the Special Committee to include future issues the UN must address as they relate to the UN Charter.

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

- What strategic role can the Special Committee play in addressing key issues such as third states affected by sanctions or

peacekeeping operations?

- How have the events of 11 September 2001 changed the role of the UN?
- What issues should the Special Committee consider as the UN seeks to address the key issues of terrorism, organized crime, and other interstate concerns?

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CHAPTER V.

THE WORLD HEALTH ASSEMBLY

INTRODUCTION TO THE WORLD HEALTH ASSEMBLY

In keeping with the tradition of presenting a unique simulation of a United Nations body or affiliated organization, AMUN 2003 will simulate the World Health Assembly (WHA). Participation will be voluntary and open to one representative from any delegation attending AMUN. WHA will meet for all four days of the Conference.

Before delving into the substantive issues, representatives should understand why this Assembly is distinctive. In the tradition of AMUN special simulations, WHA will give participants a diverse, more challenging atmosphere in which to use their skills of diplomacy, research and analysis. The topics to be discussed are detailed, and will require careful preparation prior to conference. In order to participate fully in the simulation, it will be imperative that representatives have a working knowledge of the structure and mission of WHA and the World Health Organization (WHO), the relevant policies of the Member State they represent, and an awareness of health and human rights issues worldwide. While the range of subject matter before WHA may seem daunting, significant work on the topics of discussion is nonetheless achievable with thoughtful preparation.

ABOUT WHA

The WHO, the UN specialized agency for health, was established on 7 April 1948. WHO's objective, as set out in its constitution, is the attainment by all peoples of the highest possible level of health. Health is defined in WHO's Constitution as a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity.

The WHA is the annual meeting of the WHO's 192 Member States. Its primary function is to determine the policies of WHO. It similarly considers reports of the Executive Board, which it instructs concerning matters upon which further action, study, investigation, or report may be required. The WHA also appoints the Director-General, supervises the financial policies of the Organization, and reviews and approves the proposed program budget. The 56th WHA was held from 19-28 May 2003 in Geneva, Switzerland.

THE SIMULATION

During the 2003 AMUN Conference the simulation of the WHA will be a special session. As mentioned before, a regular session involves many issues encompassing all regions of the world and discussed in detail over nine days. For the purposes of facilitating a simulation in four days, the special session will focus on four issues: the protection of medical missions in armed conflict; the Southern Africa humanitarian crisis; Severe Acute Respiratory Syndrome (SARS); and transparency in tobacco control. WHA will also present a report, including their resolution of each of the four issues, to the General Assembly Plenary session during the last session of the Conference.

PREPARATION

As a foundation for subsequent research, representatives should familiarize themselves not only with foundation documents, such as the UN Charter and WHO supporting documents, but also the 2002 reports from the WHA and the UN's Millennium Declaration. Careful review of these topic overviews and bibliographies will provide some assistance in this regard. It should be noted however that the topic overviews should not serve as the terminal point for research efforts but only as the beginning.

BACKGROUND RESEARCH

PROTECTION OF MEDICAL MISSIONS DURING ARMED CONFLICT

Bound by the dual philosophies of "first, do no harm" and neutrality or impartiality, the role of medical personnel in armed conflict is complex. Medical personnel, whether permanent or temporary, official or volunteer, are classified as non-combatants and as such are afforded protected status from attack. However, they are not afforded the same protections provided to POWs. In return, medical missions (including military medics, hospitals, and humanitarian medical

groups) have the responsibility to treat all parties involved in armed conflict. Recently, attacks on medical missions and violations of medical neutrality have increased. These attacks and violations include actions such as: directly attacking protected medical personnel or sites, preventing or inhibiting civilians from receiving medical care, preventing or inhibiting the transport of wounded persons or medical supplies, or preventing medical personnel from treating certain persons.

Medical personnel, their guard attachments, and humanitarian personnel providing medical assistance are entitled to special protections under the 1949 Geneva Conventions and the



1977 Protocols Additional to the Geneva Conventions. There are only two recognized emblems that can be displayed on medical personnel and installations in order to claim protected status, which are the Red Cross and the Red Crescent on a white background. In light of increasing attacks and violations, WHO, through its policy making body, WHA issued a resolution during its 55th session (WHA55.13) in 2002. The resolution calls for full adherence to the applicable rules of International Humanitarian Law (IHL), for all states to condemn all attacks on health personnel, for all organizations involved to promote the safety of health officials, and to increase cooperation with other UN bodies in hopes of stemming the increased incidence of attacks on medical personnel.

Currently, WHO and other international organizations are focused on lessening the impact of armed conflict on health services in specific conflicts. Because armed conflict is so prevalent and widespread in the world, it has been difficult to launch a concentrated, direct campaign at reducing attacks on medical missions and violations of medical neutrality. The issues involved in protecting medical missions and personnel are tightly linked to issues regarding civilian protection, the use of children in armed conflict, and the status of non-combatants in armed conflict.

One challenge that faces WHO and other international organizations interested in these issues is that the line between combatants and non-combatants is constantly being blurred as interstate conflict becomes less common. The role of paramilitary groups and underground fighters who are not technically bound by acknowledged IHL will be at the forefront of future discussions. Similarly, questions of military strategy and tactics come into play. For example, some groups have argued that attacks on medical installations are militarily justifiable when there is evidence that medical personnel are involved in military activities. There is growing evidence of breaches of rules governing the use of protected emblems (i.e. using the emblem to transport military supplies or attacking military targets from protected vehicles). Future discussions regarding the protection of medical missions in armed conflict are most likely to revolve around enforcement of existing conventions and rules.

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

- How does your country feel about expanding the number of "protected emblems" identified by the conventions to recognize other religious or cultural traditions? For example, the red Star of David, or the Green Cross.
- How can medical neutrality be preserved in times of armed conflict, especially regarding civilian facilities such as hospitals, ambulance services, and medical personnel?
- Are enforcement mechanisms available at the international and national level robust enough to deal with breaches of the protected status for medical personnel and transport?
- Does your country identify any differences between military and civilian medical personnel and facilities?
- What types of awareness campaigns can be used to inform civilians and paramilitary and underground fighters on the role of medical personnel?

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SC/6646, Press Release, 22 Feb 1999, In current security situation, distinctions between combatants, non-combatants blurred, Germany tells Security Council

ST/SGB/1999/13, 6 Aug 1999, Secretary-General's Bulletin: Observance by United Nations Forces of International Humanitarian Law

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Additional Web Resources:

www.who.int

www.icrc.org

www.msf.org

www.phrusa.org/research/mneutrality/

www.crimesofwar.org/thebook/book.html

SEVERE ACUTE RESPIRATORY SYNDROME (SARS)

As the first major emerging infectious disease of the 21st century, SARS presents a unique challenge to the global health community. The virus highlights the potential dangers uncontrolled viruses pose to global health. The distinctive nature of viruses presents a twofold challenge to the international community: controlling the spread of the virus while at the same time honoring the sovereignty of afflicted Member States.

The first documented appearance of SARS was in China in November 2002. However, it was not until February 2003 that the Chinese government announced to the global community the presence of the virus within its borders. In March, WHO issued an emergency travel advisory cautioning airline employees to watch for travelers with pneumonia-like symptoms in addition to issuing a heightened global health alert. In April, a WHO-sponsored team of infectious disease experts traveled to the Guangdong province of China to investigate the origins of the outbreak. By April, WHO issued a travel alert restricting all non-essential travel to Guangdong province and Hong Kong. Shortly thereafter, Toronto and Beijing were added to the alert. As of May 2003, over 8,000 confirmed cases of the SARS virus have been reported to WHO.

While SARS is a newly identified virus, WHO has long been aware of the dangers communicable diseases pose to international health. The International Health Regulations (IHR), which were adopted in 1969 and revised in 1971, deal with the reporting and containment of infectious diseases. The IHR serve as the framework for WHO's outbreak alert and response activities. The regulations as they currently stand only require



mandatory reporting of plague, cholera and yellow fever. Partly in response to the SARS outbreak but also in line with ongoing efforts to update the current IHR, the 56th WHA adopted Resolution WHA56.29 which broadened WHO's authority to verify outbreaks by official and unofficial sources. The resolution also gave the WHO the authority, if required, to conduct site investigations to determine the scope of the outbreak. In addition, the WHA passed a resolution calling for the final revisions of the IHR to be prepared for adoption in 2005 at the 58th WHA. These revisions would help to strengthen WHO's authority in monitoring diseases across borders and expand the list of diseases, whose reporting is mandatory.

WHO has focused on effective outbreak monitoring and control. After being alerted to the presence of SARS in China, WHO had two different monitoring systems, the Global Outbreak Alert and Response Network and Global Influenza Network in place to begin international monitoring of the disease as well as to serve as frameworks for an adapted SARS monitoring system. Through this system, epidemiologists were able to establish that the virus was spread from China via international air travel and the subsequent alerts that followed helped to halt the spread of the virus in countries with imported cases of the virus (A/56/48, 17 May 2003). The SARS network also allowed scientists from all over the world to collaborate, leading to the swift identification of the virus; a new form of coronavirus.

Although WHO was not caught unprepared by the sudden appearance of SARS, the sudden emergence of this virus illustrated that the system already in place had weaknesses. In particular, it became clear that many public health systems do not have the resources necessary to handle the influx of patients had SARS developed to pandemic status. In order for WHO to be successful in disease control, future measures that are brought about to contain newly emerging diseases should be flexible in order to adapt to rapidly changing conditions.

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

- What is your government's position on the reporting of communicable diseases, other than plague, cholera and yellow fever?
- What is your government's position on WHO site inspection? How much access should be allowed?
- What should be considered essential travel? What actions should be taken to offset the negative effects travel advisories can have on trade, tourism and other economic activities?
- In addition to the revision to the IHR, what other long-term measures should WHO consider to combat the spread of infectious diseases?

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Additional Web Resources:

www.who.int/csr/sars/en/index.html, WHO SARS site

www.cdc.gov/ncidod/sars/, Centers for Disease Control and Prevention SARS site

my.webmd.com/content/article/63/72068.htm, WebMD SARS: Timeline of the outbreak

www.health.library.mcgill.ca/resource/sars.htm, Severe Acute Respiratory Syndrome (SARS) Resources-McGill University Health Sciences Library and Osler Library of the History of Medicine

SOUTHERN AFRICA HUMANITARIAN CRISIS

In Southern Africa alone, approximately 4.2 million adults are infected with HIV, and the infant mortality rate is expected to double by 2010 as a result of HIV/AIDS. 1.6 million people in the Southern African region are in urgent need of food aid and other humanitarian assistance, including the control of epidemics (HIV/AIDS), immunizations, management of essential drugs and medical supplies. The region is currently experiencing a number of interrelated crises that have resulted in an extreme humanitarian crisis. These devastating crises in-



clude: a shortage of food, the HIV/AIDS epidemic, the rampant spread of other communicable and preventable diseases, water safety, a lack of immunizations, and rising infant mortality rates. There is also a serious funding emergency among the various UN agencies, NGOs and other national and regional institutions that are attempting to respond to these and other serious issues. These challenges have prevented and/or set back the region's capability to modernize and develop. James Morris, the UN Secretary-General's Special Envoy for Humanitarian Needs in Southern Africa, proclaims that the "humanitarian crisis is not only devastatingly real, it is also worsening faster than was originally projected. This crisis must be an absolute top priority for the international community."

Considering the complexity of these concerns, the WHA has teamed up with various UN agencies, NGOs, and Member States in mobilizing the necessary logistical and financial resources to mitigate the effects of malnutrition and famine, increasing chronic poverty, the spread of communicable diseases, in particular HIV/AIDS, natural disasters, armed conflict, corruption and weak governance. These issues are not independent of each other, rather they are compounded considering the prevalence of corruption and the lack of sustainable development and security in the region. Despite this, the importance of social and economic rehabilitation measures through assistance programs, emergency humanitarian deployments, and recovery plans are necessary and vital to the region's development now and into the future. In particular, WHO's role is and continues to be predominantly in the development of assistance programs in assessing the health needs of those affected by emergencies and disaster, providing health information and assisting in coordination and planning. Emergency programs are also conducted in areas such as nutritional and epidemiological surveillance. At its 55th session in May 2002, the WHA specifically committed much of WHO's work toward addressing the numerous health and development issues facing Southern Africa (A/55/1 Rev.1, 13 May 2002).

The international community continues to work with WHO as well as the Food and Agriculture Organization (FAO), the World Food Programme (WFP), and various other UN agencies to provide multi-sectoral response mechanisms to this multi-causal crisis. There is a need to strengthen the importance of human rights issues as well as the health, economic, and social sector capacity in order to: a) absorb and manage resources; b) improve planning, prioritization, development of human resources, program management, integration and implementation of key interventions, mobilization of NGOs, and assurance of service quality; and c) support research as part of national responses. Humanitarian missions play a fundamental role in enabling the region to respond to food, health, security, and social insecurities while providing the people with a means to recover and engage into establishing sustainable development.

However, in addition to other regional problems, the plight of HIV/AIDS creates an urgency that warrants immediate action to educate, prevent, and contain the spread of this lethal virus. Moreover, WHO's role in addressing and alleviating the severity of HIV/AIDS on the African continent is related to its status as a cosponsor of the Joint UN Programme on

HIV/AIDS (UNAIDS) and in ensuring that the Declaration of Commitment on HIV/AIDS of the GA Special Session on HIV/AIDS (June 2001) is adhered to, and expanded upon. Additionally, in an effort to address specifically the serious infectious disease crises threatening Southern Africa, the UN established the Global Fund to Fight AIDS, Tuberculosis, and Malaria. The Global Fund, with representatives from donor nations, developing countries, NGOs and other entities, is championed by UN Secretary-General Kofi Annan and responds to Consolidated Appeals (CAP) from affected countries. As of April 2003, the Fund had forwarded 145 proposals to its Technical Panel for review, and the Fund's Secretariat is currently working on the arrangements through which successful applicants may receive money from the Fund.

In November 2002, the UN Regional Inter-Agency Coordination and Support Office (RIACSO), with UNAIDS, met in Johannesburg to discuss the crises. The "Meeting Report of the Consultation on HIV/AIDS and the Southern African Humanitarian Crisis" shows the joint work of the UN System, NGOs, governments, and the private sector in tackling these issues. With an overall concentration on the support of the affected states, the inter-agency report focused on information and advocacy, education and protection, health and water sanitation, coordination, preparedness and resource mobilization, and assessment, surveillance, and monitoring. While this meeting produced a clear and specific plan to help alleviate the crisis, it also pointed to key issues -- such as education and funding -- that must be dealt with before real mitigation of the humanitarian crisis. Although this meeting only addressed one of the major problems, its work signified the importance the international community has placed on alleviating the Southern Africa humanitarian crisis.

Finally, as the effects of the humanitarian crisis touch the citizens of the region in numerous capacities, the Secretary-General, speaking through his spokesman in November 2002, again drew attention to the situation. "The Secretary-General expresses his grave concern about the humanitarian crisis in Southern Africa. He appeals to the international community to continue to provide additional assistance." This call from the Secretary General is a reminder to the whole of the international community as to the importance of this problem.

Questions to consider from your government's perspective in this issue include:

- How can the international community better respond to the humanitarian crisis in Southern Africa?
- What current initiatives does your country support to enhance the humanitarian response in Southern Africa?
- Should WHO convene similar meetings like the UNAIDS "Meeting Report of the Consultation on HIV/AIDS and the Southern African Humanitarian Crisis" to address the other major issues affecting the region?
- What possible innovative approaches are available to the international community to address this crisis?

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TRANSPARENCY IN TOBACCO CONTROL

Why is reducing the use of tobacco a global priority? Tobacco is becoming one of the single biggest causes of death worldwide. Today, the global tobacco pandemic kills 4.9 million people a year. By 2030 it is expected to kill ten million people per year; half aged 35-69. The epidemic is increasingly affecting developing countries, where most of the world's smokers, 82% or 950 million, live. Close to half of all men in low-income countries smoke daily and this figure is on the rise. For example, smoking prevalence among Chinese men increased from 40% in the 1950s to 63% in 1996 (Chinese Academy of Preventive Medicine 1996). Women's smoking rates are also increasing fast. By 2030, developing countries will account for 70% of all tobacco deaths worldwide. In addition, there are the health and cost issues of second-hand smoke. Many deaths and much disease could be prevented by reducing the prevalence of tobacco use.

Given the economic and social need for reduction in tobacco consumption, the Transparency in Tobacco Control Process was adopted at the 54th WHA in May 2001 and the Framework Convention on Tobacco Control (FCTC) was adopted by the Member States of WHO in May 2003. WHO has also taken other measures and initiatives, including World No Tobacco Day, advocacy campaigns that target youth and adolescents, the promotion of world sporting events that are tobacco free, and the dissemination of research that underscores tobacco's harmful effects on human well-being as well as the social, economic, and political rationale for reducing the consumption of tobacco products.

Despite the adoption of the Tobacco Control Process, tobacco industry documents show that tobacco companies have enjoyed access to key government officials and succeeded in weakening or killing tobacco control legislation in a number of countries. "We have found shocking evidence that tobacco companies have been operating to undermine WHO and global tobacco control," noted Professor Thomas Zeltner, Director of the Swiss Federal Office of Public Health, Switzerland, and chair of the WHO expert committee that investigated the tobacco companies. "We have no reason to believe that they have changed their ways now. Governments need to be aware of their intentions and be vigilant when it comes to protecting public health," he added.

The tobacco industry has also had direct information on smuggling networks and markets and actively sought to increase their share of the illegal market by structuring market-



ing campaigns and distribution routes around them. The investigations of WHO and Member States also consistently point to the discrepancy between the measures that tobacco companies internally recognize to be the greatest threats to their sales, and those that they champion in public. For example, companies publicly deny the connection between smoking prevalence and tobacco advertising, but internally acknowledge that advertising bans are a threat to tobacco sales. Companies constantly insist that they do not market to young people while internal documents clearly demonstrate otherwise.

Nevertheless, many countries have delayed taking concerted action to reduce tobacco consumption out of concern that their economies will suffer. Policymakers believe that taking effective action to reduce tobacco consumption will mean the permanent loss of thousands of jobs in the farming and manufacturing sectors, and they fear that higher tobacco taxes will result in lower government revenues, that higher prices will encourage massive levels of cigarette smuggling, and that higher prices will disproportionately harm the poor. In addition, the tobacco industry can be fairly persuasive in discouraging nations from enacting innovative tobacco control policies when tobacco issues become ensnared in international trade disputes. Tobacco companies have virtually unlimited funds available to bring international trade actions designed to thwart effective tobacco control measures, and have shown a willingness to do so if given the opportunity.

The debate over tobacco control covers a broad range of topics, focusing particularly on: challenges of tobacco control in developing countries; relationships between tobacco consumption, poverty and health; issues concerning major tobacco-exporting countries; tobacco taxation; and the behavior of tobacco companies. Often, the central issue for a number of developing countries is the economic impacts a global tobacco control regime would have on their current economic well-being. However, a landmark 1999 report by the World Bank, *Curbing the Epidemic*, addressed many of the concerns expressed by developing countries. A senior economist at the World Bank noted that rising morbidity, health-related expenses and losses in productivity associated with increased tobacco use, particularly in developing countries, were in fact having a greater impact on the overall economic outlook of many of the countries in question. The World Bank concluded that it did not make good economic sense to lend money for tobacco projects, but it did make sense to lend for anti-tobacco activities in health-related projects.

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

- Has your country adopted the FCTC and what actions has your country taken to control the use of tobacco?
- What pressure is put on your government by the tobacco industry?
- What influence on the tobacco industry can your country have?
- What role can multilateral institutions play in monitoring and controlling the use of tobacco under the FCTC?

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CHAPTER VI.

THE ECONOMIC AND SOCIAL COUNCIL

AMUN's Economic and Social Council will consider five topics on its agenda. Representatives can choose to explore these topics in a number of forms: through resolutions, in less formal working groups or commissions, or through the creation of treaty or convention documents.

STATE MEMBERS

Andorra	El Salvador	Jamaica	Republic of Korea
Argentina	Ethiopia	Japan	Romania
Australia	Finland	Kenya	Russian Federation
Azerbaijan	France	Libyan Arab Jamahiriya	Saudia Arabia
Benin	Georgia	Malaysia	Senegal
Bhutan	Germany	Mozambique	South Africa
Brazil	Ghana	Nepal	Sweden
Burundi	Greece	Netherlands	Uganda
Chile	Guatemala	Nicaragua	Ukraine
China	Hungary	Nigeria	United Kingdom
Congo	India	Pakistan	United States
Cuba	Iran, Islamic Republic of	Peru	Zimbabwe
Ecuador	Ireland	Portugal	
Egypt	Italy	Qatar	

BACKGROUND RESEARCH

HIGH-LEVEL SEGMENT: THE CONTRIBUTION OF HUMAN RESOURCES DEVELOPMENT, INCLUDING IN THE AREAS OF HEALTH AND EDUCATION, TO THE PROCESS OF DEVELOPMENT

The international community has made a concerted effort over the last decade, through global conferences and summits, to view the development process in terms of more than just economic progress. The focus on human resources development is an attempt to eradicate poverty by emphasizing health and education to achieve equitable growth, environmental protection and good governance. Recent discussions emphasize the importance of integrating health and education into overall development strategies in order to achieve the Millennium Summit goals by 2015.

The UN Millennium Development Goals (MDG) identify development priorities for the next decade and reflect a commitment to human resources in the areas of universal primary education, gender equality, HIV/AIDS, and child mortality. To achieve these goals, there have been numerous global actions dedicated to education and health. The World Education Forum held in Dakar in April 2000 made a commitment to education for all (EFA), declaring that education is not only a human right, but also the key to sustainable development. The Report of the Commission on Macroeconomics and Health, presented to the World Health Organization (WHO) in 2001, predicted that increased investment in health would not only save lives, but also generate a six-fold annual economic return on that investment. In addition, the World Summit on Sustainable Development and the International Conference on Financing for Development, both held in 2002, focused on human resources development strategies. In July 2002, ECOSOC held a high-level segment devoted to the topic of human resources development, where the Secretary-General presented

his report in the hopes that it would give political impetus to the subject (E/2002/46).

Education is important to overall development because it is the foundation for sustainable growth. Education prepares individuals to become active members of society, increasing the productivity of the workforce and contributing to a democratic community. Although there has been significant progress in the area of education, in the year 2000 there were more than 113 million children without access to primary education and 854 million illiterate adults. EFA goals emphasize that education must include primary and secondary education, adult literacy, and gender equality. To achieve these goals, the Dakar Forum recommended increased donor coordination, sector-wide approaches, debt relief, and the regular monitoring of EFA progress.

In the area of health, the emphasis on human resources development was furthered in January 1999 when WHO Director-General Gro Harlem Brundtland delivered a speech arguing that spending on health was a necessary investment. In his 2001 report to WHO, Macroeconomics and Health, Jeffrey Sachs advanced the case for human resources development in health by arguing that investment in health would provide large economic returns, and challenged the idea that economic growth by itself would automatically improve health care services. Health coverage is considered essential to the development process because malnutrition and hunger contribute to a decline in productivity. Health also contributes directly to education goals, as a healthy body is needed for effective learning, while education in turn contributes to better nutrition and health. Difficulties in improving health services include: inequitable distribution, gender bias, and lack of necessary medicines.

The main problems facing the international community in the area of human resources development are how to improve



both the quality and delivery of services. A significant part of this issue revolves around inadequate financing. At the International Conference on Financing for Development in Monterrey, the participants noted that current resources fall short of what is needed to meet development goals. It is estimated that to reach the MDG, global official development assistance would need to be doubled. Other difficulties faced include the scarcity of skilled workers due to the “brain drain,” conflicts, and gender perspectives. The approach advocated by the Secretary-General is multi-sectoral in nature, requiring action at all levels of governance to address education, health, water, food, and technology policies. Although primary responsibility is with the state, the support of the international community will be needed to realize these development goals. The challenge ahead is to coordinate all sectors and levels of government to effectively implement human resources development.

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

- What can be done to assist in the financing of human resources development?
- What role should regional and international partnerships play in country policies that address education and health?
- How can human resources development in the areas of health and education be utilized in other sectors?
- What role can the private sector play in assisting the UN in addressing the issues of human resources development?

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HUMANITARIAN AFFAIRS: SPECIAL ECONOMIC, HUMANITARIAN AND DISASTER RELIEF ASSISTANCE

ECOSOC was created to deal with various global issues, some of which include sustainable development, long-term crisis situations and short-term “emergency” disasters. The humanitarian segment of ECOSOC considers special economic issues such as humanitarian and disaster relief. Humanitarian issues of disaster relief include natural disaster relief as well as relief for prolonged disasters arising out of the HIV/AIDS crisis or the immediate after effects of civil war. Humanitarian relief in situations of disaster is imperative to other areas of concern within ECOSOC. For instance, much time and effort is extended to deal with issues of sustainable development. In many disaster situations, decades of development work can be systematically wiped out in the face of human-induced or natural disasters, if outside intervention to deal with the situation is not applied in a rapid manner.

In dealing with issues of natural disaster, technology can play a significant role mitigating and responding to humanitarian crises. Even with technological availability, disaster-prone areas can be at risk if coordination efforts are compromised. Issues such as poverty intensify the effect of a disaster within a region. There are areas around the world that face various natural disasters, which are difficult to handle without the proper organization and coordination of available technology. Two previous examples are the drought in the horn of Africa in 1998 and the floods in Mozambique in 2000. In both cases, an ad hoc advisory council was organized to help coordinate disaster relief and to address the ensuing humanitarian crises that resulted (A/57/97- E/2002/76, 25 June 2002). Health concerns from physical to psychological trauma have been discussed as well as issues relating to women in times of disaster. Further, concerns have been voiced about the protection of children who may be vulnerable to being recruited as child soldiers after the initial crisis.

The HIV/AIDS crisis continues to present unique challenges to the international community in addition to other natural disasters that have been considered in the past. UNAIDS works diligently with other UN agencies and humanitarian or-



ganizations on the ground to address complex humanitarian crises that may cause or result from natural and human-induced disasters. Additionally, the issue of health and development was brought to deliberation through the Inter-agency Standing Committee (IASC). The resolution “recognized the disease as a potential threat to peace, security, and worldwide stability” (EGM/HIV-AIDS/2000/WP 3; 7 November 2000). An expert report was compiled and the issue was taken all the way to the Security Council. Internally displaced persons (IDP) were also one focus of the resolution. The International Labour Organization (ILO) brought forth issues related to the HIV/AIDS crisis, including the risk of children being taken as soldiers, prostitution as a result of displacement, prevention and care, along with their impacts on development.

Following the increased incidence of displacement arising from the floods in 2000 and 2001 in southeastern Africa, significant action was taken in 2002 to address natural disaster relief. The UN worked with Mozambique and other countries in the region on preparatory measures designed to educate the people in the area. One such seminar was put forth through the Southern Africa Regional Outlook Forum (SARCOF). The floods of 2001 were more significant, hit different regions of the country and were unlike the floods in 2000. Ultimately, a large amount of support was focused on Mozambique in the form of both monetary assistance and human resources assistance through the UN Disaster Management Team (UNDMT). In addition, the future of Mozambique has been considered and goals have been established for continuing development assistance.

Finally, a more recent issue that has been considered is the issue of countries emerging from conflict. One particular area of focus in this regard is on African countries. A resolution passed in ECOSOC allowing for the creation of ad hoc advisory groups to be established for countries which had recent conflict (E/2002/L.12, 10 July 2002). Other regions of the globe were also discussed in relation to this issue, in particular Asia and southeastern Europe. Throughout the discussions, Member States emphasized the importance of coordinating and supporting NGOs and other UN agencies in their response to the issues surrounding natural and human-induced disasters. In particular the World Bank, the World Food Program (WFP), WHO, the UN Development Program (UNDP), and the ILO, to name a few, were cited as key agencies that can and do play a vital role in addressing humanitarian crises arising from disasters.

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

- What types of natural disasters, potential and real, can affect your region or your country?
- How can the UN better coordinate and facilitate the use of technological assistance in addressing crises around the globe?
- How can the individual needs of Member States be balanced in the face of regional or global disaster situations?
- What are the future issues that will need to be dealt with in relation to humanitarian and disaster relief assistance?

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ECONOMIC AND ENVIRONMENTAL QUESTIONS: SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

The international community has long recognized the importance of science and technology for economic and social development. The UN has played a crucial role in promoting international cooperation in the field of science and technology for development and in helping to solve global scientific and technological problems. This is especially true in the field of information and communication technologies (ICTs), which cuts across all economic activities. ICTs have a wide range of applications and provide wider access to information, serve as powerful channels for communication, and promote new options for improving productive processes in industry as well as in other economic and social activities. However, technological research, innovation and capabilities remained largely concentrated in a select group of countries. Many developing countries are becoming even more marginalized, held back by the lack of capacity to innovate and incorporate new technologies into their industrial sectors.

In an effort to capitalize on international efforts, the GA adopted the Vienna Programme of Action on Science and Technology for Development in 1979 (A/Res/34/218, 19 Dec 1979). The Vienna Programme was established with a mandate to enhance the endogenous scientific and technological capabilities of developing countries, and to address the impact of new and emerging areas of science and technology in the development process. An Intergovernmental Committee on Science and Technology for Development was formed to oversee the development and implementation of the strategies adopted in the Vienna Programme. In 1982, the UN Financing System for Science and Technology for Development was created as a voluntary and universal system to assist developing nations in financing key technologies for development. The UN requested \$300 million in donations to provide loans and grants to developing countries to fund activities based on economic need and the prospects for commercial application. An executive board was established to review project proposals and grant financial assistance in consultation with the Intergovernmental Committee. Four years later, the GA decided to terminate the Financing System and transferred its responsibilities and resources to a new trust fund within the UN Development Programme, entitled the UN Fund for Science and Technology for Development (A/Res/41/183, 8 December 1986).

13 years later, on 30 April 1992, ECOSOC established the Commission for Science and Technology for Development. The more permanent commission became the successor organization to the Intergovernmental Committee. As such, the

commission sought to sharpen the focus of the UN's work by devoting particular attention to the issues of technology transfer and capacity building, particularly in developing countries. Greater coordination of activities with the Commission on Sustainable Development and the UN Conference on Trade and Development (UNCTAD) was also encouraged.

Following this strategic reorganization, the UN focused its efforts on addressing a variety of development issues. It noted that advancements in science and technology could be utilized to help developing nations. Many of these countries could have the opportunity to fight diseases, increase production, better allocate their resources, and improve their economies. One of the main issues that developing nations face is the lack of access to scientific and technology-based education. While many countries may already have doctors, scientists, or even engineers, they often lack the proper training or the human resources to achieve desired outcomes. In addition, it has been widely acknowledged that while ICTs offered wide-ranging opportunities to tackle the problems of poverty, poor communications, economic stagnation and environmental degradation, they also generate new challenges for countries in which technological capability, skill capacity, and infrastructure are not sufficiently developed. Technology and competitiveness could be acquired only when supported by policies that focused on national capacity building for technology absorption and learning. To this end, the Commission has sought to carry out ICT needs assessments for interested countries, in particular Least Developed Countries (LDCs), and to assist them in formulating national strategies and action plans for ICT development.

The diffusion of ICTs throughout the world is extremely uneven. Many developing countries face significant barriers in access to and effective application of ICTs owing to limited telecommunications infrastructure, low computer literacy levels and lack of a regulatory framework. Most developing countries are not in a position to compete with industrialized countries. Therefore, the most effective way to raise the level of technology in developing countries is through acquisition of technology from the industrialized countries. However, the mere transfer and import of new technology through foreign direct investment and other channels does not ensure technology acquisition. In order to build capacity to acquire and master technology, it is essential that Member States build sound human resources capital and put in place credible and more focused long-term policies and regulations that encourage the active international transfer, effective diffusion and development of technology, and promote strategic partnerships between governments, the private sector, academic institutions and non-governmental organizations (NGOs).

In an effort to meet the needs of developing countries, the Commission is currently focusing its efforts on promoting the application of science and technology to meet the Millennium Development Goals. In undertaking this task, the Commission is concentrating on policies and measures that would lead to: (a) improving the policy environment for the application of science and technology for development by identifying potential risks and benefits of new and emerging technologies; (b) strengthening basic and applied research in developing countries and international scientific networking; (c) strengthening technology



support institutions and science advisory mechanisms, building human capacity, identifying new technologies and applications, and encouraging international collaboration to support research in neglected fields; and (d) promoting universal Internet access at affordable costs and building strategic partnerships in the field of science and technology for development and capacity building for competitiveness (E/2003/31-E/CN.16/2003/6, 5-9 May 2003). In addition, the Commission is addressing the opportunities and challenges presented by new and emerging biotechnologies, and the underlining need for national capacity building in biotechnology to support efforts in rural development, improving food security, agricultural productivity, health, and environmental sustainability.

Coping with these challenges in the future will require concerted national efforts, as well as support from the international community, including the UN system, NGOs, research institutions and academia. As the UN gears up for the upcoming World Summit on the Information Society, many of the aforementioned institutions will be coming together to discuss the future role science and technology can play in the development process.

Questions for consideration from your government's perspective on this issue include:

- How can the UN further encourage the use and development of ICTs in social and economic development?
- In what ways can the UN provide greater access to information about potential risks with the use of ICTs?
- What particular measures can be adopted by developing countries to close the "digital divide?"
- How can the UN assist developing countries in understanding the use and potential risks of biotechnologies?

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SOCIAL AND HUMAN RIGHTS QUESTIONS: ADVANCEMENT OF WOMEN

Equal rights for and equal treatment of women is an issue that has been addressed repeatedly through the past century and a half, but it is a goal that has still not been reached. On average, women account for only 14 percent of the seats in national parliaments. In industrialized countries, women in the wage sector earn an average of 77 percent of what men earn; in developing countries, they earn 73 percent. Two-thirds of the world's 876 million illiterates are women. Of the 113 million children of primary school age who are not attending school, almost two-thirds are female. By the time they reach 18, girls have an average of 4.4 years less education than boys. HIV/AIDS disproportionately affects women and adolescent girls who are socially, culturally, biologically and economically more vulnerable. In sub-Saharan Africa, women account for 58% of all HIV-positive adults.

Since its inception, the UN has been concerned with the issue of advancement of women. From the UN Charter to the Universal Declaration on Human Rights, it has clear that women should be given equal opportunity in all facets of social, economic, and political life. The UN has created several organizations to oversee and promote the advancement of women. They include the Commission on the Status of Women (created in 1946), the Division of the Advancement of Women (started in 1946 under the name "Section on the Status of Women"), the UN Development Fund for Women



(UNIFEM, 1976) and the UN International Research and Training Institute for the Advancement of Women (INSTRAW, 1976).

Over the years, UN action for the advancement of women has taken four clear directions: promotion of legal measures; mobilization of public opinion and international actions; training and research, including the compilation of gender desegregated statistics; and direct assistance to disadvantaged groups. Today a central organizing principle of the work of the UN is that no enduring solution to society's most threatening social, economic, and political problems can be found without the full participation and the full empowerment of the world's women.

In an effort to codify the work of the UN since 1946, the GA in 1979 adopted the Convention to Eliminate All Forms of Discrimination Against Women, an international bill of rights for women. In 1995, the Fourth World Conference on Women (FWCW) was held in Beijing, China. The Platform for Action that was adopted at the FWCW sought to further progress on issues that disproportionately affect women, especially focusing on poverty, education, violence against women and human rights. In 2000, a follow up summit of the FWFC, Beijing +5, was held in New York. In addition, in 2000 the UN Millennium Summit adopted eight Millennium Development Goals to be achieved by 2015. Among these are the empowerment of women and the promotion of equality between women and men, the elimination of gender disparity in primary and secondary education, the reduction of maternal mortality by three-quarters and the reversal of the spread of diseases, especially HIV/AIDS and malaria.

To date, the UN continues to work on the advancement of women in several areas, including the promotion of women in decision-making roles; reducing poverty, especially women in poverty; increasing women's literacy rates and increasing women's education in general; and decreasing the incidence of violence against women. As the primary agency changed with coordinating the UN efforts in these areas, UNIFEM has focused its energy on three main goals, the strengthening of women's economic rights and the empowerment of women to enjoy secure livelihoods; engendering governance and peace-building to increase women's participation in the decision-making processes; and promoting the human rights of women around the globe and eliminating all forms of violence against women to transform development into a more peaceful, equitable and sustainable process. It is hoped that as the world enters a new millennium, the advancement of women will become a reality.

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

- What role has your country adopted in relation to the advancement of women?
- What actions has your country taken, either on its own or with other Member States, international, regional, or local organizations and other NGOs, on the advancement of women?
- How much progress has been made internationally on the Millennium Development Goals related to women?
- What additional measures does your country take to further promote the advancement of women?

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- A/Res/57/181, 18 Dec 2002, Elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century'
- A/Res/55/2, 18 Sep 2000, UN Millennium Declaration
- A/Res/34/180, 18 Dec 1979, The Convention to Eliminate All Forms of Discrimination Against Women
- A/Res/217 A (III), 10 Dec 1949, The UN Declaration on Human Rights.
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- E/CN.6/1996/4 (1996) Monitoring the Implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women
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- S/Res/1325, 31 Oct 2000, Women and Peace and Security

Additional Web Resources:

- www.un.org/ecosocdev/geninfo/women/womday97.htm
- www.un.org/womenwatch
- www.unfpa.org
- www.unhchr.ch/women/index.html
- www.unifem.undp.org



CHAPTER VII.

THE INTERNATIONAL COURT OF JUSTICE

The International Court of Justice (ICJ) currently has three cases on its docket, as described below. Additional cases may be added by the AMUN Secretariat, or at the recommendation of any participating delegation and the Secretary-General. If cases are added, background information will be distributed to all delegations participating in the cases (as either Judge or Advocate). Please note that this background is intended only as a brief outline of the issues to be argued before the Court. Significant legal research will be required of the Representatives involved in cases before the Court, either as Advocates or Judges. Representatives should refer to the *AMUN Rules and Procedures Handbook, Chapter IV - The International Court of Justice* for detailed information on the ICJ and on preparing for ICJ cases.

BACKGROUND RESEARCH

REPUBLIC OF GUINEA V. DEMOCRATIC REPUBLIC OF THE CONGO: AHMADOU SADIO DIALLO

These proceedings have been instituted by the Republic of Guinea on behalf of one of its nationals, Mr. Ahmadou Sadio Diallo, who had been residing in the Democratic Republic of the Congo (DRC). Mr. Diallo was a businessman who resided for 32 years in the DRC and had established two major companies: Africom-Zaire, involved in trade; and Africacontainers, organizing transport by containers. Both businesses entered into legal contracts with the state of Zaire and the DRC, as well as several major oil and mineral companies in the country. Upon Mr. Diallo's attempt to collect on debts owed him by the partners mentioned above, he was unlawfully imprisoned; his assets, bank accounts, and properties seized; and subsequently he was expelled from the country. The amounts owed to and damages claimed by the Republic of Guinea on behalf of its citizen, Mr. Diallo, are in excess of \$31 billion (US).

Mr. Diallo pursued his debts through the Congolese court system after contracts with the state and with Zaire Shell for scheduled payment were never honored. This final case, filed in 1995, was decided upon first examination in favor of the petitioner, and the bailiff of the court awarded Mr. Diallo over \$13 million (US). He also issued a seizure order against Zaire Shell's bank accounts and property. At first, the Minister of Justice, the Inspectorate General of Courts, and the Prime Minister upheld this decision. However, the Prime Minister subsequently ordered Mr. Diallo's secret arrest on 5 November 1995 and revoked the seizure order against Zaire Shell. Despite the scandal that this caused, and pressure from international groups such as *Avocats Sans Frontieres*, Mr. Diallo was held for 74 days and then given an undated refusal-of-entry form at the airport forcing him to leave. Upon his expulsion from the country, he arrived in Conakry, Guinea with no more than the clothes he wore.

The Republic of Guinea is requesting that the Court order the DRC to make full reparations and a public apology to Mr. Diallo. It claims that this case falls under the Court's jurisdiction because both the DRC and Guinea have accepted compulsory jurisdiction for dispute resolution in 1989 and 1998, respectively. The monetary damages claimed are primarily divided between the state of the DRC, Zaire Shell, Gecamines, Zaire Fina, Zaire Mobil Oil, and Onatra, with a few miscellaneous claims against Citibank Zaire, among others.

Further complicating the matter is the dual citizenship held by Mr. Diallo in both the DRC and the Republic of Guinea, which brings into question the right of the Republic of Guinea to represent him or protect him against the DRC.

The actions of the DRC are charged to be in violation of the following:

- Diplomatic protection
- Article 2 of the Declaration of the Rights of Man and Citizen of 1789

Questions to consider while deliberating this matter include:

- Does the ICJ have the authority to hear this case, given the nature of the violations against a single individual?
- Is the ICJ responsible for single-party suits? What does the case precedent suggest?
- Does the fact of Mr. Diallo's dual citizenship in any way detract from the duty and right of Guinea to represent his interests in the international arena?
- Can the ICJ authorize Guinea to seize any and all Congolese property at hand in lieu of repayment?
- To what extent can the DRC be held responsible for the defaulted payments on the parts of Zaire Shell, Onatra, etc.?

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www.icj-cij.org/icjwww/idecisions/isummaries/ifussummary520827.htm -- Case concerning rights of American nationals in Morocco
www.icj-cij.org/icjwww/idecisions/isummaries/iukisummary520722.htm -- the Court finds lack of jurisdiction in Anglo-Iran oil company dispute
www.icj-cij.org/icjwww/idocket/igc/igc_orders/igc_application_19981228.pdf -- Republic of Guinea's real-life application to the court
www.un.org/law/ilc/reports/1997/chap8.htm -- International Law Commission, 1997 Ch. VIII Diplomatic Protection



www.un.org/Overview/rights.html -- Human Rights Declaration
www.unodc.org/unodc/terrorism_convention_hostages.html
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NEW ZEALAND V. FRANCE: NUCLEAR TESTS CASE (HISTORICAL CASE: 1974)

This dispute stems from the atmospheric testing of nuclear weapons by France in areas in the proximity of New Zealand. In 1963, France moved its nuclear weapons testing operations from the Reggane Firing Ground in the Sahara Desert to the Mururoa Atoll in the Tuamotu Archipelago. The new testing grounds were located 2,500 nautical miles from the North Island of New Zealand. New Zealand closely monitored nuclear tests that were carried out in this area from 1966-1972. On 9 May 1973, fearing fallout as well as radioactive contamination of the surrounding oceanic environment, New Zealand lodged a formal complaint against France to halt the atmospheric tests in the ICJ, *New Zealand v. France* (1974).

Concern over these nuclear tests has been expressed for several reasons. To begin with, depending on the exact location of the tests, the radioactive fallout at times has rendered certain areas of the Pacific Ocean too dangerous to navigate. As a result, navigational over flights had to be restricted for safety purposes, which affected New Zealand's ability to utilize commercial shipping lanes in the area. Additionally, it seemed that some radioactive fallout had landed on the terrestrial territory of New Zealand. What is in dispute, however, is the extent to which that fallout has caused any measurable amount of damage. After having attempted to resolve the dispute diplomatically, New Zealand filed this complaint against France in May 1973, for violations of international law related to New Zealand's sovereignty and its right to navigate the high seas.

Up until now the government of New Zealand has attempted multiple times to make use of diplomatic channels to resolve this dispute. Representatives of New Zealand have brought the French nuclear testing matter up for discussion in meetings of the UN, at the 1972 Conference on the Environment, in addition to several regional forums of the Pacific. Further, both governments have participated in the exchange of a long series of diplomatic notes on the subject. After requests to France to halt testing in the Pacific were rebuffed multiple times, a final letter, of 4 May 1973, was sent by the government of New Zealand noting that, "...the New Zealand Government sees no alternative to its proceeding with the submission of its dispute with France to the International Court of Justice."

New Zealand's legal case rests on five major points. First, New Zealand claims that there is a general restriction against nuclear testing that leads to radioactive fallout. Second, the French testing curtails New Zealand's right to enjoy its territorial environment (terrestrial, maritime, and aerial) uncontaminated from radiation. Third, it is claimed that the entering of French radioactive fallout into New Zealand's territory violates its sovereignty. Fourth, New Zealand argues that the radioactive fallout has caused both physical and psychological harm to

its citizens. Finally, New Zealand claims that the French nuclear testing prevents New Zealand from exercising its freedom of the high seas, including freedom of navigation and over flight, in accordance with the international law of the sea.

As a basis for the Court's jurisdiction, New Zealand invokes: Article 36(1) and 37 of the Statute of the ICJ and Article 17 of the General Act for the Pacific Settlement of International Disputes (Geneva, 1928). Alternatively, New Zealand refers to Article 36 (2) and (5) of the ICJ Statute.

To date, the French Republic has not formally participated in the proceedings of this case. So far, its only action has been to send a letter to the ICJ denying the Court's distinction on the matter. Unlike in many domestic legal systems, the ICJ cannot generally enter default judgement, even in circumstances such as these. Therefore, the case is still currently active.

There has been some UN discussion on the topic of nuclear testing, although nothing binding. Some General Assembly resolutions to consider include 1148, 1252, 1379, 1402, 1578, 1632, 1648, 1762A, 1910, 2032, 2163, 2343, 2455, 2604B, 2661A, 2663B, 2828, and 2943A. Additionally, resolution 3(I) of the 1972 Stockholm Conference of the Environment addressed the issue of nuclear testing.

Treaties and accords that might be considered in this case are:

- Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water (1963)
- Treaty for the Prohibition of Nuclear Weapons in Latin America (1967)
- Treaty on the Non-Proliferation of Nuclear Weapons (1968)

Questions to consider while deliberating this matter include:

- What rights do states have against contamination of their territory by radioactive elements? What is the current state of international law regarding nuclear testing?
- Does the Court have jurisdiction to hear this matter?
- If so, how does France's current level of participation in the case affect the case's disposition?
- Can this case set a precedent within the ICJ?

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Additional Web Resources:

www.icj-cij.org -- The International Court of Justice

MEXICO V. THE UNITED STATES OF AMERICA: DISPUTE OVER THE CONVICTION AND SENTENCING TO DEATH OF MEXICAN NATIONALS IN THE UNITED STATES

On 9 January 2003, Mexico brought suit against the United States of America in the ICJ, alleging violations of Articles 5 and 36 of the Vienna Convention on Consular Relations of 24 April 1963. The violations center around 54 Mexican nationals who have been sentenced to death in various states. Mexico alleges that the United States failed to inform Mexican nationals of their right to consular assistance in over 50 cases where the death penalty has been imposed. On 5 February 2003, the ICJ's 15 members unanimously ordered that the US should take "all measures necessary to ensure" that none of the Mexican nationals cited by the Court's order be executed until the Court has rendered its full judgment. This issue has reached such a level that it has strained US-Mexican relations.

Article 36 of the Vienna Convention states that the United States is required to notify all nationals of another State detained by authorities of their right to contact a consulate without delay if they so wish. Mexico claims the United States failed to inform 49 of the detained Mexican nationals of their protected right to seek consular advice. In the case of the other four nationals, Mexico claims that notification was not received "without delay." The final allegation stemmed from one case in which a national was informed of his rights only in connection with another capital charge.

Mexico has brought the case to the ICJ claiming there is "extreme gravity and immediacy of the threat that authorities in the United States will execute a Mexican citizen." Mexico states that a previous ICJ case, *Germany v. the United States*, is a prime example that a "meaningful review" is needed before the US executes another foreign national. Likewise, on 3 April 1998, Paraguay brought accusations before the ICJ concerning alleged violations of the 1963 Vienna Convention by the United States. However, Paraguay subsequently withdrew its case on 14 April 1998 following the execution of the national in question by the State of Virginia despite the Court's order on 9 April requesting the United States to take any and all necessary steps to prevent the execution.

The United States does admit to the violation of the Vienna Convention; however, it claims the case does not belong in the ICJ. According to the United States, "competent authorities in the United States had instituted measures providing for review and reconsideration in all such cases, that so far these measures had proved effective and that there was no reason to think that they would not be effective in future cases." The United States also claims Mexico does not have a "foundation in fact or in law and that the requirements for the Court to indicate provi-

sional measures were not met." The United States says Mexico did not satisfy conditions to bring the case before the court.

There are a number of issues to discuss while deliberating this case. One in particular is the precedent set by *Germany v. the United States*. In this case, the United States violated Article 36 and executed a German national without notifying him of his right to contact consular authorities. Because of this incident, the Vienna Convention was amended to apply more stringent regulations. Another pressing issue advocates and justices will wish to consider is the death penalty. The United States claims Mexico brought this issue to the ICJ to protest America's death penalty. By pressing suit on the violations, Mexico, an avid opponent of the death penalty, may be able to overturn 54 death penalty convictions.

Treaties, conventions, and rulings of the ICJ that might be considered in this case are:

- The 1963 Vienna Convention on Consular Relations
- The UN Charter (which established the ICJ)
- Statute of the ICJ
- The ICJ's summary of judgment in (LaGrand) *Germany v. United States of America*

- Extradition Treaty between the United States and Mexico

Questions to consider while deliberating this matter include:

- Does the ICJ hold jurisdiction in this particular case, and if so on what issues?
- Is the United States violating international law by executing foreign nationals?
- What is the potential impact this ruling has on the death penalty internationally?
- Is consular assistance a human right?
- How do the changes in the Vienna Convention on Consular Relations since *Germany v. US* affect the legal conditions under which the precedent is viewed?

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2003/7, Press Release, 30 Jan 2003, Provisional Measures - Court to give its Order on Wednesday 5 February 2003 at 3 p.m.

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General List No. 128, 5 Feb 2003, Case concerning Avena and other Mexican nationals: Request for the indication of provisional measures, www.icj-cij.org/icjwww/idocket/imus/imusorder/imus_iorder_20030205.PDF

Declaration of Judge Oda, 5 Feb 2003, www.icj-cij.org/icjwww/idocket/imus/imusorder/imus_iorder_20030205_oda.PDF

Additional Web Resources:

www.asil.org/ajil/agora4.htm -- Article on the role of US federal power in relation to enforcing and requiring compliance with international treaties

www.asil.org/insights/insigh17.htm -- Article discussing the ICJ's order concerning

www.asil.org/insights/insigh75.htm -- Overview of the LaGrand case by the ICJ

www.asil.org/insights/insigh95.htm -- Overview of the cur-

rent *Mexico v. United States* case before the ICJ

www.globalpolicy.org/wldcourt/franck.htm -- Article from the American Journal of International Law on the Global Policy Forum website

www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasic_basisjurisdiction.html -- Information on the basis for the jurisdiction of the ICJ

www.icj-cij.org/icjwww/ibasicdocuments/ibasictext/ibasic-statute.htm -- The Statute of the ICJ

www.icj-cij.org/icjwww/idocket/igus/igusframe.htm -- Links to the LaGrand case: orders, oral pleadings, and summary of judgment by the ICJ

www.icj-cij.org/icjwww/idocket/imus/imusframe.htm -- Links to Mexico's application, the Court's original order, and the oral pleadings before the ICJ by Mexico and the U.S., along with various press releases on the case.

www.icj-cij.org/icjwww/igeneralinformation/icjgnnot.html -- Overview of the functions of the ICJ



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