

CHAPTER IV.

THE GENERAL ASSEMBLY

All delegations are represented on the Concurrent General Assembly Plenary and 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 Combined General Assembly Plenary session on the last day of the conference 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 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/58/first/index.html -- agenda items relating to disarmament and international security are allocated to this body.
- Second Committee: www.un.org/ga/58/second/index.html -- agenda items relating to economic and financial matters are allocated to this body.
- Third Committee: www.un.org/ga/58/third/index.html -- agenda items relating to social, humanitarian and cultural matters are allocated to this body.
- Sixth Committee: www.un.org/ga/58/sixth/index.html -- agenda items relating to international legal matters are allocated to this body.

BACKGROUND RESEARCH

THE CONCURRENT GENERAL ASSEMBLY PLENARY

FOLLOW-UP TO THE OUTCOME OF THE TWENTY-SIXTH SPECIAL SESSION: IMPLEMENTATION OF THE DECLARATION OF COMMITMENT ON HIV/AIDS

The twenty-sixth special session: implementation of the Declaration of Commitment on HIV/AIDS took place from 25 to 27 June 2001 at the United Nations. Assembled to address the issue of HIV/AIDS, effectively encompassing all areas, the special session focused on pushing the issue of AIDS proliferation into the international spotlight. Hoping to secure assistance from the global community, this session emphasized the necessary implementation of regional, national and international efforts in attempting to combat the spread of this disease, whether regionally or worldwide.

The session emphasized areas at risk of becoming hotbeds for HIV/AIDS outbreaks, and focused on many of the least developed areas, including, but not limited to, Africa, Eastern Europe, and various parts of Asia, including China. It was acknowledged that developed areas also contained populations suffering from the disease, and these areas were also examined, calling attention to the situation and the behaviors that put their populations at risk. Both developed and developing nations were aware that funding measures would be a central focus of the session. It was seen as essential to make the respective populations aware of the potential disaster that would await if the proper monies, both at the national and international levels, were not allocated to the prevention and treatment of the disease.

Following the conference, the UN has taken action in implementing measures to attempt to fund both prevention and treatment programs. Ultimately though, the major contributions to each country's HIV/AIDS suppression programs will rely on that government's willingness and ability to contribute to the pro-

grams. Resolutions such as A/RES/57/7 have attempted to address the problem by calling on outside assistance for the further development of African nations, realizing that a stable, strong economy is key to the implementation and follow-through required for such HIV/AIDS prevention and treatment measures. Further build-up of stable internal economies would also possibly help to quell national violence and instability, factors seen as contributing to the HIV/AIDS pandemic.

Additional UN actions have included plenary meetings in order to monitor the follow-up to the special session of June 2001, along with a report published by the Secretary-General detailing the progress achieved as well as the measures that require further attention. A greater emphasis on prevention and treatment of HIV/AIDS led the Security Council to pass a resolution in 2003 requesting the further assistance of the Secretary-General in this manner. Recent briefings have outlined the treatment methods deployed in various areas, but also stress the need for further funding and assistance in locales all across the world.

A future goal of the committee stressed voluntary testing of peacekeepers sent into areas, in order to assist with the prevention and treatment of HIV/AIDS as outlined at the special session and in subsequent resolutions. One major breaking point in this matter deals with the internal stability of nations, and a heavy, though necessary burden lies with each sovereign state; asking them to attempt to create long-term national strategies dealing with HIV/AIDS prevention, education, voluntary/involuntary testing, and counseling, along with assuming primary responsibility to make sure peacekeepers were well-informed and competent, may indeed take large amounts of both time and available resources.

Reliance on international cooperation regarding this endeavor is both an asset and a hindrance. The international community



appears to be well aware of the resources and efforts necessary to combat the disease, but the internal situations of many nations may prevent some of these states from fully devoting the necessary time and resources to combat the spread of HIV/AIDS. Two issues directly at the forefront of the global crisis deal with the availability of necessary HIV/AIDS drugs in both developed and developing countries, and the primary and secondary effects of the disease among children and adolescents in developing countries.

The UN World Youth Report (2003) outlined the areas of most concern with regard to the prevalence of the disease among youth and adolescents. A large focus on areas that might not be largely known to have major outbreaks of the disease explored the rates of prevalence, underlining the fact that prevention and treatment methods need to be expanded in these areas in order to prevent the spread of HIV/AIDS to nearly epidemic proportions. Education within nations is necessary to even attempt to put a stop to the catastrophic spread of the disease, but effective tools have yet to be fully implemented.

Funding of treatment and prevention methods has been a hot topic, with some suggesting that more developed nations contribute much larger efforts to eradicating the voracious spread of HIV/AIDS. The availability of drugs varies from region to region, and the fact remains that many areas do not have enough funds to purchase and distribute medication from drug companies. A large side effect of this problem has been the emergence of black market drugs and other supposedly effective holistic treatments in areas such as sub-Saharan Africa. Efforts by the World Health Organization have fallen woefully short in attempting to treat those living with HIV/AIDS; a plan to deliver anti-retroviral drugs to three million AIDS patients by the end of 2005 has already come close to collapse due to a lack of funding.

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

- How can the UN further persuade governments to contribute necessary funding and resources for the treatment and prevention of HIV/AIDS within their own countries?
- How can countries that cannot afford treatment programs best be assisted in confronting the HIV/AIDS issues in their populations?
- What methods for treatment and prevention have your government enacted, and how has that affected both your state and the international community?
- How can UN peacekeepers, where present, be fully integrated into each respective country's efforts to prevent and treat the spread of HIV/AIDS?

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- "International Health Officials End Talks Over Standards for Generic Antiretroviral Drugs." 31 Mar 2004. www.kaisernet.org/daily_reports/print_report.cfm?DR_ID=22955&dr_cat=1
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- "Press Conference by Joint United Nations Programme on HIV/AIDS (UNAIDS)." www.un.org/News/briefings/docs/2001/unaidspc.doc.htm.
- "Update on AIDS Epidemic by UNAIDS." www.un.org/News/briefings/docs/2001/UNAIDS_Update.doc.htm.
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 A/RES/57/144
 A/RES/57/299
 A/RES/58/3
 A/RES/58/179
 A/RES/58/236
 SC/7086 (Press Release)
 SC/7921 (Press Release)
 World Youth Report, 2003, www.un.org/esa/socdev/unyin/wyr/

Additional Web Resources:

- www.unaids.org --UNAIDS Homepage
www.aids.org -- Nonprofit AIDS information website
www.hopkins-aids.edu -- Johns Hopkin's AIDS Information Site
www.aidsinfo.nih.gov -- US Government AIDS Education Website
www.unaids.org/html/pub/Publications/IRC-pub04/UNAIDS-companion_0103_en_doc.htm -- UNAIDS Companion Report to the SG report.

QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL AND RELATED MATTERS

From the time of the creation of the United Nations, the design and makeup of the Security Council has been a constant dispute. From its first meeting in 1946, to the most recent session this year, the Security Council's membership consists of member states with different levels of power. Of the 15 seats available, five members of the United Nations hold permanent seats on the Security Council. The General Assembly elects the other 11 non-permanent members of the council to sit for two-year terms. Along with a permanent seat on the Security Council, permanent members also have the privilege of the veto. Veto power, an authoritative prohibition or rejection of a resolution or act, is the most disputed power given to any member of the United Nations. As the body responsible for amending the UN Charter, the General Assembly has taken on the problem in an attempt to find solutions that are agreeable to the entire membership of the United Nations. It is important to note that ultimately, any changes to Security Council membership or to the veto power of the Permanent Members will require a revision to the Charter. Any such revision must be adopted by a vote of two-thirds of

the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations, including all the permanent members of the Security Council. Thus any solution must coincide with the political will of most Member States, including the Permanent Members, if it is to eventually be ratified.

From original GA membership rolls of just 53 states in 1945, to the current membership of 191 states, the membership of the Security Council has only expanded once, from eleven states to the current fifteen states. With the many changes in the world both during the Cold War and in its immediate aftermath, the issue was brought to the forefront of discussion when on 11 December 1992, the GA requested that the Secretary-General invite Member States to submit comments on the membership of the Security Council. These were codified through the passage of A/RES/47/62, leading to the formation of the Open Ended Working Group on Equitable Representation on and Increase in the Membership of the Security Council and Related Other Matters Related to the Security Council (Working Group) on 3 December 1993 (A/RES/48/26).

The GA tasked the Working Group to “consider all aspects with respect to the increase in the membership of the Security Council, and other matters related to the Security Council.” With this mandate, the Working Group published its second report in 1995, outlining a list of the most pertinent reform questions. This list included permanent members, non-permanent members, veto power, and increasing the membership of the council. The world viewed this report as being the first major step towards reforming the Security Council.

In this and consecutive reports, the Working Group “emphasized that the review was taking place in view of the substantial increase in membership of the United Nations, especially by developing countries, as well as important changes in international relations (A/50/47).” A consensus has since developed that both of these issues suggest an increase in the size of the Council, but the specifics, including the question of potentially extending the veto power to some new Permanent Members in the future, is still very much in question.

Although there is much agreement in the Working Group for the need for Security Council reform, little progress has been made in the ten years of its existence. Debate has centered on increasing membership of both permanent and nonpermanent states, the veto power, and creating a sustained program of review for Security Council. In particular, many non-permanent members of the Council argue that the evolution of international relations tools such as the veto power, as it is currently constituted, is outdated and should either be abolished or greatly limited. Realistically, however, there is a realization that none of the current Permanent Members are likely to give up their status, and thus talks on this issue have stalled beyond the initial rhetoric.

When accounting for these ideas, there is still limited agreement on how to accomplish these tasks and a wide array of ideas. Many nations, including Japan, Germany and more recently India, argue that they should become permanent members of the Security Council, while developing nations argue that representation should be based on geographic region. These countries contend that geographic allocation in the Security Council is the only method that gives representation regional parity. They believe that with regional parity, the Security Council would become a more stable and impartial organization. Within the regions, however, there is still significant contention over which country(s) should receive a Permanent seat, or whether more rotating seats should be added by region. Permanent members, conversely,

have been silent on the issue, speaking out only to support their indisputable right to the veto power. In several cases, they have suggested that the regions need to decide on a workable formula from their perspective before any further work can be accomplished.

Despite the effort of the Working Group, coming to a mutually acceptable agreement continues to evade the members and the outcome of ten years of work by the international community remains in question. In reviewing the work done so far, GA sessions in the past have focused on finding ways to overcome the political difficulties inherent in this issue.

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

- What is your country’s position on reform of the Security Council?
- How does your country feel about the current makeup of the Security Council?
- What options are available to reform the Security Council?
- Is mutually agreeable reform of the Security Council necessary with the current state of international community? Is it possible?

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Additional Web Resources:

www.globalpolicy.org/security/reform – The Global Policy Project
www.un.org/reform/

THE FIRST COMMITTEE: DISARMAMENT AND INTERNATIONAL SECURITY

PROMOTION OF MULTILATERALISM IN THE AREA OF DISARMAMENT AND NON-PROLIFERATION

From the outset of the Cold War, the world community has used multilateralism as a mechanism to facilitate disarmament and non-proliferation. Treaties such as the Non-Proliferation Treaty, Comprehensive Test-Ban Treaty, and the Chemical Weapons Convention were integral in reducing the number of weapons of mass destruction flowing into the world's zones of conflict. Agreements such as the Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grammes Weight have regulated the use and distribution of conventional weapons. The problem that many of these treaties and conventions face is that, while they are multilateral in nature, they are not accepted on a global scale, through a global entity such as the UN.

Starting in 1947 the UN has considered disarmament and non-proliferation to be among the most significant goals on its agenda. In 1978, for the first time, the UN held a Special Session on Disarmament that tackled the issue at its heart. The culmination of this Special Session was the passage of GA/10/2. This document, passed during a heated time in the Cold War, recognized the situation the world was heading toward. With proliferation flowing out of control, it saw the need for control in the outlay of weapons and called for disarmament of all nations. While focused primarily on nuclear arms, this Final Act also called for general and complete disarmament and reduction in proliferation of all arms. The UN General Assembly has held six Special Sessions dealing specifically with disarmament and non-proliferation since the first in 1978. With each ensuing session, more and more discussion has centered on the need for multilateralism to affect the desired results.

Discussion continued to grow at the UN regarding how the world could multilaterally disarm and create non-proliferation regimes to ensure the security of member nations. Dialogue has not only centered on how proliferation leads to a lack of international peace and security, but also centered on the fact that it prevents much needed resources from reaching areas of importance such as economic and social development. When governments focus their budgets on military and defense priorities, they by definition have less money for the development of their country and the betterment of their citizens. Globalization, which has helped many nations throughout the world develop and better the lives of their citizens, has also created an atmosphere that makes it much easier for weapons to proliferate, and thus the need for disarmament has increased.

With rising acts of terrorism throughout 1990's and the attacks of 2001 in the USA, the world community has struggled to sustain the multilateral regimes created at the inception of the UN. These recent events opened the dangers of proliferation to

the world. Instead of coming together and uniting to prevent weapons from falling into the hands of regimes intent on conflict and organization bent on violence, some states in the world community unilaterally attacked suspected adversaries. This created an atmosphere of tension that has yet to lift.

For the world to move into an era of peace, multilateralism in the areas of disarmament and non-proliferation needs to again be the primary measure of preventing conflict. With the seventh Special Session on Disarmament, the UN General Assembly continued to stress the need for this multilateralism.

Problematically, movement toward disarmament is still not the status quo in all areas. Though negotiations continue regarding non-proliferation and disarmament throughout the world, their outcome, and the failure of parties to abide by the it, lessens the world's hope for international peace and security through multilateralism. Areas such as the Korean Peninsula, many parts of Africa, and the Middle East remain rife with weapons, with large amounts still flowing in and out to other zones of conflict. This is also complicated by the fact that the primary weapons suppliers are some of the very countries whose support will be needed if more complete disarmament can ever be achieved.

With the culmination of the seventh Special Session on Disarmament, the GA decided to add multilateralism in the area of disarmament and non-proliferation to the provisional agenda of the fifty-ninth session, continuing the effort that began when the world created the UN.

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

- What efforts are currently being made by the UN to promote multilateralism in the area of disarmament and non-proliferation?
- What stands in the way of the success of these efforts, and what steps can the UN take improve the chance of success?
- What commitments or obligations has your state agreed to implement multilateralism in the area of disarmament and non-proliferation?

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 A/RES/58/59
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 DC/2843, Press Release: "United Nations Study on Disarmament and Non-Proliferation Education, Press Release," 08/10/02.

Additional Web Resources:

disarmament2.un.org/ – The UN Disarmament web page
 disarm.igc.org/Punabc.html -- NGO Committee on Disarmament, The ABCs of Disarmament, the UN's Disarmament Machinery
 www.idds.org/ – Institute for Defense and Disarmament Studies
 www.unog.ch/disarm/disarm.htm – UN Disarmament Links Page

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

Since 1998 a new topic has brought to the forefront of international security discussions in the United Nations (UN): information and telecommunications. This is due to the emergence of programs geared at information warfare and the vital nature of telecommunications within the modern world. The first resolution was introduced when the Russian Federation likened such tactics to the ramifications of weapons of mass destruction. Since that time similar resolutions on the issue have been passed in each consecutive session.

The issues at hand in the field of information and telecommunications in the context of international security are two-fold. First, the use of technologies as an offensive weapon, and second, the need to protect vital information and telecommunications pathways from debilitating attacks. The problem inherent in the very nature of utilizing information as a weapon is that conventional methods of arms control prove ineffective. Despite the fact that programs for developing information warfare can be monitored, the weapons themselves are intangible. Moreover, the destructive potential of such actions can be universal. With global connectivity on the rise, the introduction of information weapons, which may be less than discriminating, stands to effectively damage or cripple critical information systems throughout

the world. This blowback effect has the potential to inhibit most States from employing such tactics. However, the concern is with rogue groups seeking to employ such means to disrupt governmental assets around the world.

The current focus upon this issue within the UN as well as that of regional organizations and non-government organizations, is the prevention of damage to critical systems in the event of cyber-terrorism. A number of steps have been taken to harmonize the laws regarding cyber-security and the standards to which they apply. The UN has discussed such actions in the Second and Third Committees. Within the First Committee, resolution A/RES/56/19 has set up a study to report on technological developments in the military and civilian realms with regard to their potential impact on international peace and security, which is due to be presented by the 60th plenary session. Another upcoming event of relevance to the topic is the World Summit on Information Society, to be held in November of 2005, which will discuss a number of aspects of this problem. Currently the ideas regarding this issue within the international community lay along the lines of sharing information in an effort to better improve the security for infrastructure. Obviously there is a need for further action on the issue. In the realm of disarmament, a first step toward addressing the problem would be the establishment of international norms for the use or non-use of information warfare. While it is not the charge of the First Committee to establish the laws that would govern specific acts of cyber-crime or warfare, setting principles to abide by can lay a framework for such laws. As there are no current methods that could effectively monitor information warfare programs, efforts should be made to build infrastructures that are capable of surviving catastrophic attacks. The current efforts of sharing information in attempts to prevent network attacks from infiltrating systems should also continue to be encouraged.

In the area of protecting vital information, it is crucial to note that technology is now integral to the workings of almost all governments, particularly in the functioning of the world's militaries, and thus the threat of a cyber-attack on information has also grown. We are flooded with the constant release of news about new methods used to break into computer networks. Governments and major corporations are the primary targets, though the goal of the attackers is not always known. The UN General Assembly has called for the Secretary-General to conduct a study of the ways to strengthen the global information and telecommunications networks. The International Telecommunications Union gives the UN a body to work with that studies and releases information about the threat of cyber-attacks, and how to prevent them. Another international organization that studies ways to protect against attacks is Internet Corporation for Assigned Names and Numbers (ICANN). While ICANN's primary objective is to assign and manage the address system of the internet, it also holds a standing committee to look for and combat threats. The threat of information attacks destabilizing governments and militaries around the world has compelled the UN and governments to make this issue a high priority.

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

- What is the role of the First Committee in addressing information technologies and international security?
- What are effective means by which to deter cyber-terrorism or other attacks on vital information?
- How can the effects of such tactics be minimized?
- What is the current vulnerability of your nation and how might a future cyber-attack impact your nation?

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A/RES/57/239
A/RES/58/32
A/RES/58/199

Additional Web Resource:

www.un-ngls.org/wsis.htm – World Summit on Information Society

THE SECOND COMMITTEE: ECONOMIC AND FINANCIAL

MACROECONOMIC POLICY QUESTIONS: EXTERNAL DEBT CRISIS AND DEVELOPMENT

The amount of debt owed by developing nations has risen rapidly over the past decade, adding to the already significant amounts owed by many countries prior to that time. The total debt stock of developing countries rose from \$1.4B in 1990, to almost \$2.4B in 2002. Problematically, given loan cycles, a significant amount of external debt is due for many countries over the next several years. “External debt” encompasses debt taken in several forms. This may include private bank loans, securities issued abroad, non-bank export credits, bilateral loans from other (often industrialized) countries, and multilateral loans from groups such as the regional development banks, the World Bank or the International Monetary Fund. As a result, large amounts of capital are flowing out of these debtor nations to pay down their debts, or more commonly just to pay the service (e.g. minimum interest payment) on those debts. Some nations have been forced to engage in debt cascading, or taking out new loans for no purpose other than to pay off old debts. In 1984, the General Assembly declared that external debt was its own issue, and the problems caused by debt continue to this day.

Most of these debtor nations would like to see some sort of debt relief or even debt cancellation from their various debtors, and this is frequently a topic of discussion at the UN. High levels of debt are important and problematic for several reasons. Firstly, an unsustainable crisis has developed around debt. Many nations do not have enough income to pay off their debts, and with debt cascading, the problem gets even worse. This is then complicated by the fact that debt is a significant impediment to development in many countries. Funds used to make required payments on debt could be better used to fight poverty or develop infrastructure within developing countries. And if these funds are not available for development purposes, it is difficult (if not impossible) for countries to build their economies, and thus they must go into still more debt, replicating the cycle.

While creditor nations and institutions recognize (at least in principle) the problems caused by debt, it is also often stated that internal factors, like government corruption and inefficiency, have made the problems worse. Some have gone so far as to suggest that fighting poverty and development can be accomplished without debt relief, if only the governments of developing countries would practice “good governance” and work for their people, instead of for the government officials. The truth of the matter lies somewhere between of these two perspectives. While

corruption and inefficiency certainly exist in many countries, the current debt crisis (which in some cases was certainly exacerbated by internal problems) is much more significant to the future ability of these countries to develop. An additional complication, sometimes expressed by creditors, is the legitimate concern about what a sudden cancellation of all of this debt might do to the international economy.

The role of the UN on this issue has been limited to making recommendations both to debtor nations and creditor groups, but these recommendations are nonetheless seen as significant by many parties. Having the UN behind a particular plan is a significant boost in the legitimacy of discussions that occur on this issue. The Secretary-General has included this as a major issue in his reports and has made it one of the primary issues that he is personally addressing. But without any direct jurisdiction over other Inter-Governmental Organizations (like the World Bank and IMF), over creditor governments, or over the banks that issue external debt, the UN has been forced to take a role as a forum for discussion; a body that endorses plans and continually reminding nations as to the severity of this crisis.

Since 1996, the primary work of the UN system on the relief of external debt has been through the Heavily Indebted Poor Countries (HIPC) Initiative. The HIPC is a comprehensive approach to debt reduction that requires the participation of all creditors, with the intent of eliminating unmanageable debt burdens in poor countries. While including all creditors, it is focused around IMF and World Bank programs, with a central focus on each country making a continued effort toward agreed to macro-economic adjustment, as well as structural and social policy reforms. Importantly, the HIPC also focuses on ensuring additional financing for social programs, including particularly primary basic health care and education. The program promises debt cancellation when each country achieves a certain “Decision Point,” which involves enacting policies to ensure that the debt relief can be sustainable over the long term, and fulfilling the pre-conditions for joining the program. Thus countries that join the HIPC receive significant debt relief, in exchange for showing their willingness to develop in a sustainable manner and keep debt manageable in the future. To date, debt reduction packages have been approved for 23 countries in Africa and an additional four in other areas, providing \$31 billion in debt service relief.

A comprehensive review of the HIPC in September 1999 led to a number of modifications, including the ability to provide faster, deeper and broader debt relief. Linkages were also strengthened between debt relief, poverty reduction and social



policies. Countries' continued efforts toward macroeconomic adjustment and structural and social policy reforms are now central to the "enhanced" HIPC Initiative, including higher spending on social sector programs like basic health and education. A Poverty Reduction Strategy Paper (PRSP), developed using a broad-based participatory process, is now a central component for every country. Even with this program, and even if all external debts were forgiven, the least developed countries will still need significant concessional external assistance to be able to develop sustainably in the future.

The HIPC Initiative, along with discussions at the recent Monterrey Conference and the commitments made in the Millennium Development Goals, have all led to significant improvements in debt situations, but there is still a long way to go. Many industrialized countries, led by the Paris Club, have canceled large amounts of bilateral debt owed by those eligible for the HIPC Initiative. The World Bank and IMF are also following suit when HIPC goals are met. Problematically, private lending institutions have been more reticent to participate in the HIPC process, and with 60%+ of all developing world debt in private hands, this creates a significant road block to long term success. Also, while the industrialized countries of the world have committed in principle to providing significant Official Development Assistance (ODA) to the least developed countries (with the amount of 0.7% of GDP reiterated in both Monterrey and in the Millennium Goals), in fact ODA has dropped rapidly during the 1990s. While the HIPC makes it clear that debt relief should not replace ODA, this is in fact the reality for many countries.

While the world is committed in principle to combating the problems associated with high external debt, there is still much work to be done before a comprehensive solution is found that eliminates this problem for the current heavily indebted countries.

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

- What impact would debt cancellation or debt relief beyond the scope of the HIPC Initiative have on your external debt (or credit) and on the international financial system?
- How closely are poverty, development and the external debt crisis linked?
- Do creditor groups have an obligation to cancel their debt to debtor nations? If so, on what is this obligation based?
- How can private lenders be convinced to either cancel debt, or at least to restructure debt payments in a sustainable fashion?

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INTERNATIONAL YEAR OF FRESHWATER 2003

In December 2000, General Assembly Resolution 55/196 proclaimed 2003 the International Year of Freshwater. This resolution was adopted to "increase awareness of the importance of sustainable freshwater use, management and protection" (About Water Year 2003). Water is a fundamental necessity for life. Freshwater resources are needed to support Earth's ever-increasing population and to provide healthy, functioning global ecosystems. In addition to natural needs, freshwater is also utilized by various human activities, including sanitation, agriculture, industry, urban development, hydropower generation, inland fisheries, transportation and recreation. It is enough that there are so many different sources requiring freshwater for it to be an issue; however the concerns surrounding the availability of clean freshwater become even more pressing when considering that water is a scarce resource that is being actively polluted, consumed wastefully, and mined.

Competing needs require that action be taken on the part of the international community immediately, or the world's finite water supply will be unable to support life. Health risks, environmental degradation, political crises over shared water resources, precarious development, and economic instability are other potential outcomes of dwindling quality freshwater supplies.

In 1977, issues surrounding freshwater were brought to international attention at the UN Conference on Water. This conference produced the Mar Del Plata Action Plan, which outlined the importance of assessing water resources, water use, and the efficiency of water programs, specifically with regards to drinking water and sanitation. Three years later, the GA passed Resolution



35/18, proclaiming 1981-1990 the International Drinking Water and Sanitation Decade (A/RES/45/181). This decade did not meet all of its goals, but it did produce the realization that water and sanitation problems must be solved using comprehensive, country-specific solutions and that the success of these goals would necessitate more funding. Two noteworthy international conferences were held in 1990: the Global Consultation on Safe Water and Sanitation for the 1990's in New Delhi, and the World Summit for Children in New York, both of which further clarified goals for sanitation and drinking water. The International Conference on Water and the Environment in Dublin in 1992 produced a list of principles declaring water as a "finite and valuable resource," suggesting the use of local participation, including women, in water development, and recognizing water as an economic good. In that same year, two of the most comprehensive and influential pieces of international documentation concerning the issue of water were written at the UN Conference on Environment and Development in Rio de Janeiro. The Rio Declaration on Environment and Development "establish[ed] a new and equitable global partnership through the creation of new levels of cooperation among states, key sector societies and people" (Rio Declaration). Also, Agenda 21, specifically chapter 18, provided guidelines for the holistic management of freshwater and the integration of sectoral water plans within the framework of national economic and social policy. A symbolic line was crossed in 2000 when, in its Millennium Declaration, the UN resolved to "halve, by the year 2015, the proportion of people without access to safe drinking water" (UN Millennium Declaration). This resolution was further established at the World Summit on Sustainable Development, Rio+10, in Johannesburg in 2002. Although the focus of this Summit was not solely freshwater, it brought together many working groups of people from a variety of states and NGOs to create feasible, country-specific, all-encompassing plans of implementation for achieving this goal. In addition, many partnerships were forged to bring their objectives to fruition.

In the initial attempts, the actions of the international community were not widely successful. Freshwater concerns are pervasive, which makes it difficult to create solutions. Various regions required contrasting plans, so blanket solutions were ineffective. As more research was completed, the vastness and interconnectedness of the problems were discovered, thus making it possible to address the many problems. This ability to identify all freshwater concerns is one success. Another productive success during the 1990's was that nearly one billion people gained access to safe water and sanitation. The need for clean freshwater resources has been recognized; it is now time to act.

Currently, the UN is continuing to implement Agenda 21 and the Plan of Implementation from the World Summit on Sustainable Development, as well as monitoring global progress on these initiatives and having follow-up meetings among partners. In addition, the UN released its World Water Development report, "Water for People, Water for Life."

One of the biggest difficulties in the implementation of freshwater initiatives is that many regions lack the technology, skills, and knowledge needed to reverse the freshwater depletion trends. Capacity building and education at the grassroots level are sorely needed to overcome this difficulty. Second, rapidly expanding population is another major difficulty. As more people populate the earth, the demand for clean freshwater rises but the supply stays the same. Political instability is yet another obstacle. If governments are not able to cooperate, both within their country and with other states, freshwater problems are difficult

to solve. Finally, funding for freshwater management initiatives is an ongoing challenge that will continually need to be addressed.

The key to successful global freshwater management is to sustain current initiatives, while constantly reevaluating these initiatives to improve them. The UN is already considering proclaiming 2005-2015 as the International Decade on Water for Life, at which time the initiatives will be revisited.

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

- What is the status of your country's freshwater resources?
- In what ways is your state implementing the various freshwater initiatives, including those specified in the Millennium Goals and Chapter 18 of Agenda 21?
- What obstacles does your country have to overcome in order to carry out freshwater initiatives?
- What are the next steps in the process of improving the global freshwater resources?

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THE THIRD COMMITTEE: SOCIAL, HUMANITARIAN AND CULTURAL

IMPLEMENTATION OF THE OUTCOME OF THE FOURTH WORLD CONFERENCE ON WOMEN AND THE TWENTY-THIRD SPECIAL SESSION OF THE GENERAL ASSEMBLY ENTITLED: WOMEN 2000: GENDER-EQUALITY, WOMEN AND PEACE IN THE TWENTY-FIRST CENTURY

During the inaugural session of the United Nations the issue of women's rights was brought to the table. The open letter to the women of the world gave women around the globe the opportunity and responsibility to promote the goals of women in the United Nations and their respective countries, while also providing an outline for the role of women to play in international politics. When it was signed in 1945, the Charter of the United Nations was the first international agreement to declare gender equality as a fundamental human right. Though many steps have been taken, women continually face issues regarding their fundamental human rights, from violence against women to the rights of family planning. Many measures have been taken to combat gender inequality, including the United Nations Decade for Women (1976-1985) and the ongoing Women's World Conferences.

At the Fourth World Conference on Women, held in Beijing in 1995, the emphasis on women shifted; it was no longer on achieving equality and eradicating poverty, but on the empowerment of women so that they could become equal partners in the decision making process. There, delegates produced the most comprehensive set of commitments towards women's equality ever made. Known as the Beijing Platform for Equality, Development and Peace (PFA), it assessed the global situation from women's viewpoints in 12 areas of concern and set objectives and proposals for action.

The Twenty-Third Special Session of the General Assembly entitled: Women 2000: Gender- equality, women and peace in the Twenty-First Century, was the five year appraisal on the implementation of the Beijing PFA, known as Beijing +5. Beijing+5 outlined many of the achievements of the PFA; at the same time it also revealed many shortcomings. One such shortcoming is economic expansion through globalization, which has had some repercussions on both developing and industrialized countries. For the richer nations, the fact of corporations moving to poorer nations has in some cases lessened the available funds to support UN agencies. The decline in funding has also spurred rampant noncompliance, and a lack of implementation by the UN and recipient countries of the plans adopted at the world conferences. Government downsizing, privatization of public services, and the withdrawal of subsidies have all exacerbated the feminization of poverty, which is now recognized as a key factor facing women in the developing world. Another trend is the growing rate of HIV infections around the world. Especially in Africa, certain customs and beliefs have caused infection rates among women and girls to climb at a sometimes much greater rate than the already high incidence among men.

In addition, although violence against women has been criminalized in nearly every corner of the world, it is still increasing. Despite the condemnation of honor killings, forced marriages,

female genital mutilation and marital violence, all are still prevalent practices in societies throughout the world.

Finally, there are a number of significant issues that remain unsolved, in particular: ensuring greater follow-up by the General Assembly and member states to implement resolutions and decisions addressing gender equality, and ensuring member-state compliance with respect to the PFA and the Beijing +5.

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

- How can the UN better encourage countries to implement the PFA and the Beijing +5?
- Should the UN have a greater role in protecting violence against women?
- Is there a need for another women's conference?
- How can the UN limit or alleviate the feminization of poverty?

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ELIMINATION OF RACISM AND RACIAL DISCRIMINATION

The United Nations High Commissioner for Human Rights (OHCHR) was established in 1993 to enforce the standards that were established by the Universal Declaration of Human Rights and subsequent human rights documents, and to act as a voice for victims of human rights violations. The OHCHR also provides support to the Committee on Human Rights and the Committee on the Elimination of Racial Discrimination. Since its adoption in 1948, the Universal Declaration of Human Rights has given the international community the tools to make important advances in the fight against racism and racial discrimination. In 1965, the General Assembly adopted the International Convention on the Elimination of All Forms of Racial Discrimination. Not only did the Convention establish guidelines for signatory member states to follow to eliminate racial discrimination, but it also created the Committee on the Elimination of Racial Discrimination (CERD) to enforce the policies of the Convention. These documents have been the basis of which all race and racial discrimination policy has been developed in the international community.

From 1973 to 2003 the General Assembly designated three decades to combat racism and support those affected by racial discrimination. The first decade, 1973-1982, was used to implement UN instruments and the promotion of a worldwide education campaign. The second decade, 1983-1992, dealt with creating and refining procedures for supporting victims of racial discrimination. The final decade, which ended in 2003, emphasized the role of human rights education as a prevention tool. In 1997 the General Assembly passed Resolution 52/111, which convened a conference against racism and racial discrimination. The General Assembly declared 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and other Related Intolerance. In 2001, the international community held the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa.

Though much time and effort has been dedicated to solving issues involving racism throughout the world, issues such as ethnic cleansing, racial superiority, and ethnic violence remain grave problems for the world's people. Globalization has added to the problem, causing increased inequality as well as ethnic and racial exclusion. Issues of race and racial discrimination are becoming a more complex and greater challenge to the international community. To solve these unique challenges the UN will have to use unique solutions and seek cooperation from the entire world.

As the definition of racism and racial discrimination has expanded, it encompasses more situations and in some cases, the definition is in itself a cause for controversy. The situation between Israel and Palestine, religious wars in Indonesia, and the situation in South Africa, are all examples of situations defined as involving the discrimination against certain racial groups. War and conflict in Africa are causing indigenous peoples to be in danger of discrimination more than ever before. Inter-ethnic clashes remain a leading cause of conflicts in the Great Lakes Region as well as other parts of Africa including Rwanda,

Uganda, Democratic Republic of Congo, Sudan, and Liberia. Other examples include Brazil in 2001 and current Turkish government policies. In Brazil indigenous people were threatened, forcefully evicted, and even killed during land disputes between local tribes and powerful ranchers. In Turkey, state policies that deny recognition to the Kurdish minority are enforced through censorship and imprisonment. While all of these are accepted by most countries under the category of racism, not all are as universally accepted as the South African and similar cases. Cases of religious, ethnic or other discrimination sometimes cause contention about the very definition of the word when they are included in the broader category of "racism," and this can further complicate the search for solutions on the topic.

After September 11, 2001, the "war on terrorism" added a new dimension to xenophobia and racial intolerance in many regions of the world. Recently, the inter-ethnic conflicts in Afghanistan and Iraq have been brought to the attention of the international community due to the United States' actions in these areas of the world. Human Rights Watch documented a series of incidents where largely ethnic Pashtun Taliban forces committed summary executions and destroyed civilian homes belonging to minorities it associated with rivals suspected of supporting anti-Taliban Northern Alliance forces.

There are still many regions of the world that do not recognize international laws created to combat and prevent racial discrimination. The international community should not only promote greater awareness of racism and racial discrimination but also implement decisive action at the national, regional, and international levels in order to help individuals that suffer on a daily basis. The United Nations will not only need the support of its member states, but also intergovernmental organizations, non-governmental organizations, and other specialized bodies within the UN itself.

Racial discrimination occurs throughout the world, and the CERD is not a large enough organization to combat all the situations that occur. Many member states have recommended the strengthening of the CERD, however due to lack of resources this idea has yet to be implemented. Monitoring is also an issue that the CERD believes needs to be addressed, with the key question of how CERD can monitor the implementation and enforcement of international agreements when a member states is found in violation. There has also been a movement to remove specification of which groups fall under the protections of the International Convention on the Elimination of All Forms of Racial Discrimination, because some believe that this excludes groups like indigenous peoples, minorities, and refugees. A small number of countries, some of which are very influential, argue in opposition that including these groups makes the definition too broad. There is also been a push to have gender included in the Convention.

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

- How will the UN encourage the implementation of recommendations put forth in previous conventions to member states?
- What measures has your government taken to eliminate racial discrimination in your country and abroad?
- How can CERD ensure state compliance to the international laws that have been agreed upon?
- Where can CERD obtain more resources (i.e. funding) for its program? Should its mandate be expanded, and if so how?



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THE SIXTH COMMITTEE: LEGAL

SCOPE OF LEGAL PROTECTION UNDER THE CONVENTION ON THE SAFETY OF UNITED NATIONS AND ASSOCIATED PERSONNEL

United Nations and associated personnel currently work in the world’s most hostile open warfare situations. The protection of UN forces and personnel must be a priority for both humane and practical reasons because states contributing troops will be increasingly unwilling to send their domestic forces to keep or secure peace in foreign conflicts, as evidenced in the current situation in Iraq.

The General Assembly adopted the Convention on the Safety of United Nations and Associated Personnel (“Safety Convention”) by resolution in December of 1994. The Convention did not enter into force until 1999, however, because it took over five years to secure the necessary 22 instruments of ratification. To date there are only 71 parties to what would seem to be a treaty of necessity and humanitarian concern. In comparison, over 179 states have ratified the Vienna Convention on Diplomatic Relations.

The international legal community heralds the four historic Geneva Conventions on the Laws of War for their protection of individuals in wartime. During the drafting of these Conventions, the international community had not yet considered the future role of UN personnel around the world, in capacities ranging from humanitarian to peacekeeping forces. None of the four

conventions addresses the treatment of peacekeeping and humanitarian forces or other UN personnel.

The primary purpose of the Safety Convention is to criminalize acts against UN peacekeeping personnel. The Convention provides a mechanism for prosecuting attacks on UN personnel as crimes against international law. Each state party to the Convention undertakes to criminalize such attacks under its domestic law and to prosecute offenders. The secondary purpose of the Safety Convention is to ensure the protection of peacekeepers under the Geneva Conventions discussed above.

Even upon the passing of the resolution supporting the Convention, many states and scholars criticized the Safety Convention for its inability to enforce its provisions. The Secretary-General’s main concern with the treaty is its narrow scope of application to only certain UN endeavors. The Safety Convention applies in only two situations: (1) “where the operation is for the purpose of maintaining or restoring international peace and security;” or (2) “where the Security Council or the General Assembly has declared... that there exists an exceptional risk to the safety of the personnel participating in the operation.” Unfortunately the convention provides no direction or requirements for when the Security Council or General Assembly must declare the existence of an “exceptional risk”. The result is that the Convention provides no automatic protection for “non-peacekeeping personnel” although the death rate of non-peacekeeping to peacekeeping personnel is almost equal.



The reason for these limitations is one of history and politics. The convention would not be ratified by those states who believed it did not provide sufficient protection for a broad range of UN personnel working all over the world, while states who believed that the UN has overstepped its traditional peacekeeping role refused to sign if the protections were not limited to these historic functions.

The Secretary-General has also noted that the existence of a Safety Convention does not carry much weight without adequate security training for UN employees, communications equipment and advice from expert professional security officers. Currently, at the Headquarters level, there are only eight professional staff responsible for coordinating and managing the security system covering 70,000 staff and dependants at over 150 duty stations. There are only 60 cost-shared security officers in the field while there are some 80 high-risk duty stations where the presence of at least one field security officer would be warranted.

In response to these concerns, the Secretary-General recommended, and the General Assembly passed, a resolution creating the Ad Hoc Committee on the Scope of Legal Protection under the convention on the Safety of United Nations and Associated Personnel (A/RES/56/89, 12 December 2001). The mandate of the Ad Hoc Committee is to expand the existing scope of legal protections of UN personnel abroad. One of the main issues under consideration is addressing the problem of declarations of exceptional risk. Two solutions are on the table: (1) the possible elimination of the "exceptional risk" requirement for Security Council or Secretary General declarations on applicability of the Safety Convention; and (2) the creation of a detailed declaration mechanism with delineated criteria. In making this or other recommendations to the General Assembly, the Ad Hoc Committee must be constantly aware of the controversial nature of such protection as well as the need to increase the number of signatories and the need to keep the current parties to the convention.

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

- Does your country favor the elimination of the exceptional risk requirement? If not, should it be changed?
- Should a detailed declaration mechanism be created? What criteria should be included in such a mechanism?

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- Geneva Convention Relative to the Treatment of Prisoners of War
- Vienna Convention on Diplomatic Relations

Additional Web Resource:

- The Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel: www.un.org/law/UNsafetyconvention/

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FIFTY-FOURTH SESSION

The International Law Commission (ILC) was established by the General Assembly in 1947 in Article 13, paragraph 1 of the UN Charter. The Commission became necessary when it was discovered that many governments were opposed to allowing the United Nations power to enact binding rules of international law. These same nations were also opposed to imposing regulations by majority vote. Although many nations had concerns, they strongly supported a committee with the powers of study and recommendation. The Commission was created to promote the progressive development of international law and its codifica-



tion. With the passage of Article 13, the ILC began its first session.

The ILC is comprised of 34 members who are elected by the GA for a term of five years. Members are elected in part through a regional distribution: nine from African states, eight from Asian nations, eight from Western Europe and other States, six from Latin American and Caribbean states, and three from Eastern Europe. These members do not directly represent their nations while serving on this committee, but serve as individuals. All members gather twice a year to discuss issues that are suggested by the General Assembly. Although the ILC was created to discuss all issues pertaining to international law, the Commission has not forayed into the fields of private international law or international criminal law. In practice, the Commission has stayed within the boundaries of public international law covering issues such as the Nuremberg Principles, the Rights and Duties of States, and the Definition of Aggression.

Reports published by the ILC must hurdle many obstacles before being accepted by the GA. Topics can either be suggested by the GA for the ILC to address, or the ILC may approach the GA with suggestions. After a topic is chosen, the Commission will appoint a Special Rapporteur who prepares discussion and a work plan. The Rapporteur may be assisted by a working group or a drafting committee, and their work is submitted to the General Assembly for written comments. After the first reading, the report is resubmitted to the International Law Commission for a final rewrite. Consequently, it is approved and sent to the GA with recommendations for action.

In its 54th Session, the Commission concentrated on several key issues: diplomatic protections, reservations to treaties, international liability for injurious consequences, responsibilities of international organizations, and the fragmentation of international law. The major discussion centered on the definition of diplomatic protections, i.e. which people were protected underneath the guise of diplomatic protections and whether it should be expanded. The body stressed diplomatic protections were a right granted to the state by a state, and it was not given to an individual. A state does not have to award diplomatic protections to its citizens if it chooses not to. Diplomatic protection is a highly contentious issue because of the ambiguousness of nationality. Should these protections be awarded to citizens of other nations who are married to a national? Where do refugees and stateless people fit into the network? Or military personnel serving abroad? There are many questions regarding diplomatic protections, and the ILC has only begun to address them during this session.

Although most of the discussion involved diplomatic protections, there were several new topics brought up that will be further discussed in future sessions. The proliferation of international judicial systems has been discussed as well as the implications aging treaties have on modern institutions. For example, the Vienna Convention was not meant to be interpreted in the context of today's issues. Does the new frame of reference make the treaty ineffective? The ILC will also be researching international environmental law more in depth in upcoming sessions.

The International Law Commission has been clarifying international law for over a half a century. They have produced yearly reports on each issue with the direct input of the General Assembly and individual states. These reports are essential to the understanding and interpretation of international law. The Commission has reached an apex, however, many of the larger, more visible issues have been researched, discussed, and passed. A new direction must be taken, and the International Law Commission could influence many nations through their topics and subsequent discussion.

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

- How should a nation define nationality? Should diplomatic protections be awarded to all citizens overseas or specific people such as reporters, service persons, and aid workers?
- Should the ILC provide opinions/reports on private and criminal international law?
- During its discussion on Responsibility of International Organizations, a subject of debate was whether states should be held liable for the actions of organizations they belong to. Does your government believe nations should be held responsible for actions of international organizations they are active participants in?
- Should natural resources that cross borders such as groundwater, oil, and migrating animals be considered international property and how should ownership be decided?

Bibliography:

- "The 54th Session of the ILC." United Nations. 1998-2002. 26 Apr 2004. www.un.org/law/ilc/sessions/54/54sess.htm
- Mansfield, Bill. "Establishing the Ground Rules of International Law: Where to From Here?" Victoria University, School of Law, Wellington, New Zealand. 2002. *VUW Law Review*.
- "Member List of the ILC." United Nations. 2002. www.un.org/law/ilc/reports/2002/2002report.htm
- Rosenstock, Robert and Benjamin K. Grimes. "The Fifty-Fourth Session of the International Law Commission" *American Journal of International Law*. Vol. 97, No. 1 (Jan., 2003), 162-167.
- "What is the International Law Commission" United Nations. 1998. www.un.org/law/ilc/ilcintro.htm

UN documents:

- UN Charter, Article 13
- A/57/10 (Report of the ILC on Work of its Fifty-Fourth Session)
- A/RES/57/221
- A/RES/57/21

Additional Web Resources:

- www.un.org/law/ilc/ -- ILC Homepage
- www.asil.org/ -- American Society of International Law
- www.un.org/law -- UN International Law homepage
- www.ila-hq.org -- International Law Commission homepage

