



# 22<sup>ND</sup> ANNUAL AMERICAN MODEL UNITED NATIONS INTERNATIONAL CONFERENCE

## ISSUES AT AMUN



**BRINGING GLOBAL PERSPECTIVES TO FUTURE LEADERS**



**CHICAGO, ILLINOIS  
19-22 NOVEMBER 2011**

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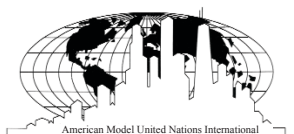
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# AMERICAN MODEL UNITED NATIONS

## 22<sup>ND</sup> ANNUAL INTERNATIONAL CONFERENCE

### ISSUES AT AMUN REPRESENTATIVE HANDBOOK

Introduction.....	2	Promotion of New and Renewable Sources of Energy.....	32
<b>CHAPTER ONE - THE UNITED NATIONS</b>		<b>General Assembly Third Committee - Social, Humanitarian, and Cultural</b>	
Origins of the UN.....	3	The Right to Food.....	34
Purpose of the UN.....	3	Protecting Human Rights and Fundamental Freedoms while Countering Terrorism.....	35
How the UN Seeks to Achieve Its Purpose.....	3	<b>General Assembly Sixth Committee - Legal</b>	
Structure of the UN.....	3	Consideration of Effective measures to Enhance the Protection, Security and Safety of Diplomatic and Consular Missions and Representatives.....	37
Bloc Politics.....	4	International Liability for Injurious Consequences Arising out of Acts Not Prohibited by International Law.....	38
<b>CHAPTER TWO - THE SECURITY COUNCIL</b>		<b>CHAPTER SIX - THE ECONOMIC AND SOCIAL COUNCIL</b>	
The Situation in Iran.....	5	Global Preparatory Meeting for Annual Ministerial Review (AMR) on Implementing the Internationally Agreed Goals and Commitments in Regard to Education.....	40
The Situation in Somalia.....	6	Economic and Social Repercussions of The Israeli Occupation on The Living Conditions of The Palestinian People in the Occupied Palestinian Territory, Including East Jerusalem, and The Arab Population in the Occupied Syrian Golan.....	41
The Situation in the Middle East.....	7	Reports of the Economic Commission for Europe (ECE) and the Commission on Sustainable Development (CSD).....	43
The Situation in the Democratic Republic of the Congo.....	8	<b>CHAPTER SEVEN - ECONOMIC COMMISSION FOR EUROPE</b>	
The Situation in Libya.....	9	Climate Change Mitigation and Adaptation.....	44
The Situation in Sudan.....	11	Sustainable Quality of Life in Human Settlements in the 21st Century.....	45
<b>CHAPTER THREE - THE HISTORICAL SECURITY COUNCIL OF 1973</b>		<b>CHAPTER EIGHT - COMMISSION ON SUSTAINABLE DEVELOPMENT</b>	
About the Historical Security Council.....	12	Sustainable Agriculture and Rural Development.....	47
The Situation In The Middle East.....	14	Sustainable Mining.....	48
The Situation in Rhodesia.....	14	<b>CHAPTER NINE - THE WORLD HEALTH ASSEMBLY</b>	
The Situation in Southwest Africa.....	14	Public Health, Innovation and Intellectual Property.....	51
The Situation in Uganda.....	15	Prevention And Control Of Noncommunicable Diseases: Implementation Of The Global Strategy.....	52
The Situation In Asia: Vietnam.....	15	<b>CHAPTER TEN - THE INTERNATIONAL COURT OF JUSTICE</b>	
Other Open Issues.....	16	Jurisdictional Immunities of the State (Germany v. Italy) - 2008.....	55
<b>CHAPTER FOUR - THE HISTORICAL SECURITY COUNCIL OF 2003</b>		Whaling in the Antarctic (Australia v. Japan) - 2010.....	57
About the Historical Security Council.....	17	Maritime Boundaries (Nicaragua v. Honduras) Historical - 1999.....	58
The Situation in Afghanistan.....	18	<b>NOTES.....</b>	60
The Situation between Iraq and Kuwait.....	19		
Threats to International Peace and Security Caused by Terrorist Acts.....	20		
The Situation In Liberia.....	21		
The Situation In The Democratic Republic of the Congo.....	21		
The Situation in the Middle East.....	22		
Other Issues in Africa.....	23		
<b>CHAPTER FIVE - THE GENERAL ASSEMBLY</b>			
<b>Concurrent General Assembly Plenary</b>			
International Cooperation against the World Drug Problem.....	24		
United Nations Global Plan of Action against Traffick- ing in Persons.....	26		
<b>General Assembly First Committee -</b>			
<b>Disarmament and International Security</b>			
Developments in the Field of Information and Telecommunications in the Context of International Security.....	28		
Consolidation of Peace Through Practical Disarmament Measures.....	29		
<b>General Assembly Second Committee -</b>			
<b>Economic and Financial</b>			
Role of Microcredit and Microfinance in the Eradication of Poverty.....	31		



# INTRODUCTION

The *Issues at AMUN Handbook* is published to assist Representatives in their preparations for the American Model United Nations (AMUN) Conference. When combined with students' own research on the nations 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, Councils and International Court of Justice at the 2011 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 to appropriate sources of additional information.

The overviews give a brief background concerning each topic and states 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 aspects of a complex issue. For example, the general issue of "the environment" has dozens of sub-issues — in such a case, the overview may direct 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.

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.**

In addition, *Chapter I - The United Nations* provides essential background information to give all Representatives a common orientation to the history of the UN. This section begins with the origins of the UN and covers some important points about the organization. Finally, the chapter focuses on problems confronting the UN today.

## USE OF THE INTERNET

Many of the works cited in this *Issues at AMUN Handbook* are resources located on the Internet. Full text of many periodical sources is available to AMUN participants online. Please visit AMUN's homepage at [www.amun.org](http://www.amun.org) for a list of recommended research links.

Three online sources of particular note are the United Nations homepage ([www.un.org](http://www.un.org)), the *New York Times* online ([www.nytimes.com](http://www.nytimes.com)), and the *UNWire* ([www.smartbrief.com/un\\_wire/](http://www.smartbrief.com/un_wire/)). The *UNWire* is a daily briefing on UN issues provided by the United Nations Foundation; note that *UNWire* articles published prior to August, 2004 can be found at [www.unwire.org](http://www.unwire.org). These sources are heavily referenced throughout the issues briefings in this handbook. Most documents cited in these bibliographies can be found with the help of an internet search engine. For a more thorough discussion of online research sources, see "Utilizing the Internet" on page 11 of the *AMUN Rules and Procedures Handbook*.

## THE PURVIEW OF EACH SIMULATION

Each simulation's background guide contains a brief overview of that simulation's purview, which provides a general outline of the types of discussions each simulation might have on the topics in question. This is extremely important in the UN system, where a variety of different Committees and Councils may discuss different aspects of an international problem. Representatives should exercise great care in researching a topic, so their deliberations can focus on the piece of the problem considered within their simulation's purview. These purview briefs are guidelines for the discussions of each body.

An excellent example of this shifting focus among Committees and Councils is the Palestinian question. The First Committee might discuss aspects of the situation dealing with weapons shipments. At the same time, the Second Committee may discuss a variety of financing initiatives to help the Palestinian Authority. Similarly, the Third Committee, or in some cases the Economic and Social Council, might discuss the social and humanitarian considerations that arise from Israeli occupation of various territories. And the Sixth Committee may discuss the legal aspects of treaty violations in the region if this is specifically encompassed in one of that Committee's topics. Only the GA Plenary Session would discuss the problem in its entirety, including the possible creation of a legal Palestinian State or member status for that State. The Security Council would deal with any appropriate peace and security issues that arose on the situation. Clearly, different aspects of a single problem are regularly discussed in different bodies. More importantly, at the UN, delegations are typically careful to *only* discuss those aspects relevant to their own Committee/Council, leaving other aspects to others in their delegation to address in the appropriate forum.





# CHAPTER ONE

## THE UNITED NATIONS

Representatives participating in the American Model United Nations Conference should be familiar with the history of the United Nations, as well as the rapidly changing role the organization plays in international affairs. This section provides 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 of and produced by the First and Second World Wars. The United Nations developed as a successor to the League of Nations, which represented the first attempt by nations to achieve this unity.

In 1942, American President Franklin D. Roosevelt first coined the term “United Nations,” when forty-seven nations signed the Declaration of the United Nations in support of the Atlantic Charter. In 1944, the United States, the United Kingdom, the Union of Soviet Socialist Republics 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 an 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 or 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 discussing international disputes. Also, Member States recognize that the United Nations has an established machinery which can be utilized to solve international problems. The United Nations seeks, both through its principal organs and various subsidiary bodies, to

settle disputes through peaceful means without resorting 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 five Permanent Members (China, France, the Russian Federation, the United Kingdom and the United States) and ten at-large Member States, which the General Assembly elects 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 nine functional, or “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. Today, the TC 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

Nations with mutual interests have used a system of "bloc politics" to organize their efforts within the UN. These blocs tend to be made up of nations with similar political, historical or cultural backgrounds. They are often formed on a geographical 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 the General Assembly endorsed four regional groups: the Latin American group, the Asian and African group, the Western European and Others group, and the Eastern European group. 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 Union (EU).

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, in an 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, allowing them to act as a cohesive group. The effectiveness of any given bloc in exerting its positions in the General Assembly often depends 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 over time. Their viability as a political tool is diminishing, and blocs are falling out of use. For example, the most historically cohesive bloc, the Warsaw Pact, has ceased to exist as a military and political unit. Several other blocs, including the Western bloc, 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 Union.

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 more than 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 the 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 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 more recently formed bloc 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.

At AMUN, 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 interested party to another bloc caucus in an effort to achieve a consensus.



## CHAPTER TWO

# THE SECURITY COUNCIL

### Members of the Security Council:

Bosnia-Herzegovina	Lebanon
Brazil	Nigeria
China	Portugal
Colombia	Russian Federation
France	South Africa
Gabon	United Kingdom
Germany	United States of America
India	

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: *The New York Times*, *UN Chronicle*, *The London Times*, *Foreign Policy*, *The Economist* and *Keesing's Record of World Events*.

Also, the UN Foundation's online 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/docs/sc/](http://www.un.org/docs/sc/)). 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.

## THE SITUATION IN IRAN

Since August 2002 Iran has been a pressing source of concern for the International Atomic Energy Agency (IAEA) following the revelation of two secret nuclear facilities. The revelation of these facilities drew into question the nature of the Iranian nuclear program. While Iran was initially cooperative with the IAEA, that cooperation ended in early 2006 with its announcement of intent to resume all research and development activities. In April 2006, President Mahmoud Ahmadinejad announced that Iran had "joined the nuclear countries of the world," and that Iran had no intention of giving up its right to enrich uranium as part of negotiations over its nuclear program. The Security Council agreed in early June 2006 on a set of proposals for Iran, containing both incentives and disincentives with the goal of deterring Iranian uranium enrichment. Iran rejected the proposals, calling them "insulting and humiliating." Following the rejection of the proposals, the Security Council issued the first (S/RES/1696) of what would become six resolutions between July 2006 and June 2010 banning arms exports, freezing assets, and restricting the travel of individuals, groups, and companies associated with the nuclear program.

During this time negotiations continued regarding efforts to persuade Iran to halt its uranium enrichment program. In 2009, Russia, France, and the United States offered to send a large portion of Iran's nuclear fuel abroad for further processing. Iran initially refused but later accepted after the proposal was withdrawn following the exposure of the Fordow Fuel Enrichment Plant (FFEP). Following the initial rejection, Iran and several member nations revealed to the IAEA that Iran was constructing a fuel enrichment plant in a tunnel complex on a Revolutionary Guard base in Fordow, near the city of Qom.

While it has been years since the covert nuclear facilities were exposed the question of a military dimension to Iran's nuclear program remains unanswered. The IAEA has been allowed access to declared Iranian nuclear facilities; however Iran continues to remain evasive regarding questions raised by the IAEA and Security Council. Iran continually reminds the IAEA of its compliance and findings in Board of Governors' reports that Iran has not diverted any nuclear material from those sites the IAEA is allowed to access. Western diplomats continue to call into question the validity of Iran's proposal to domestically supply fuel for its nuclear program as well as the design of its research reactor under construction at Arak. They also question if the Arak reactor is to be a replacement for the Tehran Research Reactor and why the Iranian government proceeded to enrich uranium to 20% against IAEA recommendations and without IAEA safeguards as reported in GOV/2010/10.

There have been repeated statements by Iran regarding the construction of as many as ten new enrichment facilities. The IAEA has not been allowed access to any of these proposed sites, though reportedly five have been chosen. Iran claims it is not obligated to give access to the sites until six months prior to the introduction of nuclear material under the Safeguards Agreement. Iran has routinely neglected to inform the IAEA of nuclear sites until they have been publicly exposed via international media or western intelligence agencies.

Issues with possible military dimensions have been continually called into question by the IAEA. Such issues include alleged studies relating to spherical and hemispherical high-explosive lensing testing; long range missile testing; reentry vehicle modification of Shahab-3 payload replacing the conventional high explosives with a



spherical payload; uranium metal milling; and highly synchronous explosive triggering. Additionally, issues relating to transparency and cooperation with the IAEA remain outstanding: continued uranium enrichment to 20%; lack of access to companies producing components for nuclear research and development; and refusal of access to heavy water, uranium processing and mining facilities. Iran claims these issues have arisen from forged documents and that these are “politically motivated” and “baseless” accusations. Iran also claims that “alleged studies” have never been considered outstanding issues. Iran continues to call all Security Council resolutions concerning the Iranian nuclear program “illegal,” claiming it is not bound by modified Code 3.1 of the Subsidiary Arrangements General Part (which requires states report new facilities to the IAEA 180 days before the facility receives nuclear material for the first time) and that its actions do not violate the Non-Proliferation Treaty (NPT).

Efforts have been made by unknown nations or groups to slow Iran’s nuclear progress using cyber-warfare. Following the cyber-attack by the Stuxnet virus in 2010 on computers regulating Iranian centrifuges and the Bushehr nuclear reactor, Iranian production of Low Enriched Uranium (LEU) fell. The virus also resulted in a delay in bringing the Bushehr reactor online. The virus appears to have been designed specifically for systems controlling Iranian centrifuge cascades causing them to spin out of control while indicating false readouts within normal operating parameters. Despite this setback, by early 2011 production of LEU had reached pre-Stuxnet, levels and the Bushehr reactor was loaded and had reached the critical level for sustained nuclear fission by 10 May 2011. Iran has placed blame for the Stuxnet virus on Israel and the United States and has blamed the German company Siemens for introducing the virus to Iranian systems. In addition to overcoming the setbacks caused by the Stuxnet virus, analysis by experts suggests that Iran has reached nuclear breakout capacity and with available known quantities of LEU, Iran could produce enough Highly Enriched Uranium (HEU) to build a nuclear weapon within 62 days, or 12 days provided 153.2kg of LEU enriched at 19.7%.

Questions to consider from your government’s perspective include the following

- How does the presence of the Iranian nuclear program affect the implementation of the Non-Proliferation Treaty?
- What are appropriate actions for the international community to take with regard to Iran’s nuclear program?

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## THE SITUATION IN SOMALIA

Following the 1991 collapse of Mohamed Siad Barre’s government, the United Nations sent a force of 35,000 troops in Operation Restore Hope. The mission made initial progress until 1994 when American and European troops began to withdraw from the force. The United Nations Mission to Somalia (UNISOM II) ended in 1995 with the withdrawal of the rest of the troops. Between 1995 and 2000, the situation deteriorated with the capital of Mogadishu divided between rival warlords. By 2000, the situation began to look promising as Abdikassim Salat Hassan was elected transitional president by various clan leaders in Djibouti. In 2002, the transitional government signed a cease-fire with 21 clan-based factions at talks sponsored by the Intergovernmental Authority on Development (IGAD). In 2004, the Transitional Federal Government (TFG) emerged from a two year peace process led by IGAD and the government of Kenya.

However, by 2006, the apparent political progress began to erode. Militias loyal to the Union of Islamic Courts (UIC) took control of Mogadishu and southern Somalia. The Security Council in S/RES/1725 (2006) authorized IGAD and the African Union (AU) to send a peacekeeping force to help prop up the transitional government. Prior to the deployment of the African Union Mission in Somalia (AMISOM), Ethiopian forces helped engage the UIC militias, driving them out of Mogadishu. The UIC and affiliated anti-government groups continued to fight with the government and Ethiopian forces throughout early 2008. The Ethiopian offensive resulted in high civilian casualties, often due to the use of mortar and field gun attacks in highly populated areas. In light of these developments, the African Union Peace and the Security Council requested the transition of peacekeeping from AMISOM to United Nations forces as noted in S/RES/1801.

After 2008, hard-line factions arose within Somalia filling the power void left by the fall of the UIC and the lack of true governance by the TFG. One such faction that arose was al-Shabaab, which aimed to enforce Sharia Law throughout Somalia. It was labeled a terrorist organization by several western governments and was accused of ties with al-Qaeda. Eritrea was found to be supporting elements of al-Shabaab through the transfer of small arms. In late December 2009, the UN Security Council imposed sanctions on Eritrea for supporting insurgents trying to topple the nascent Somalia government. The Council expressed concern over Eritrea’s rejection of the Djibouti



Agreement, designed to ease tensions in Somalia. Violence escalated across Somalia with the killing of AMISOM peacekeepers by al-Shabaab, which continued to expand its power throughout 2009 and much of 2010. Following the bombings Kampala, Uganda during the 2010 World Cup, the AMISOM mandate was expanded by the African Union to allow AMISOM forces to directly engage al-Shabaab.

AMISOM peacekeeping forces provided by Uganda and Burundi, and funded by UN donor support, took the offensive in late February 2011 and began an assault on Mogadishu. AMISOM troops made significant territorial gains in Mogadishu which allowed a siege on the heart of al-Shabaab's economic support, the Bakara Market. This siege of the Bakara Market was designed to limit civilian casualties while effectively denying al-Shabaab its military base of operations and revenue gained by the illegal taxation of businesses. By this writing, al-Shabaab had lost significant territory to AMISOM, TFG forces, and allied tribes but still remained in control of the port city of Kismaayo.

Gains by AMISOM and the TFG remain fragile with the government situation in flux due to political infighting surrounding extending the TFG beyond the current UN mandate. Uganda has threatened to withdraw its peacekeepers from AMISOM if the TFG is not extended. Some have argued that elections are needed, however the cost to security may be extreme if elections proceed. Additionally, funding shortfalls in supporting AMISOM and TFG troops threaten to eliminate recent gains.

In addition to the insecurity on land, piracy off Somalia has continued to rise, with several port cities being used as safe havens to carry out attacks on ships in the Gulf of Aden and Indian Ocean. These acts of piracy have made the security situation in Somalia worse, especially since the government has limited ability to enforce laws and no navy to help combat the piracy. This problem has led to several countries sending warships to the area to help protect merchant traffic and UN humanitarian aid by pursuing pirate vessels. Security Council members have called for tougher laws on piracy and a better judicial system within Somalia and its autonomous regions to support the prosecution of pirates. As of 15 April 2011, 550 people and 26 vessels were being held hostage in Somalia.

Questions to consider from your government's perspective include the following

- Why has the chaotic situation in Somalia persisted for so long despite significant international attention?
- What can the UN do to preserve the gains of AMISOM and allow for the eventual transfer to elected government?
- Are there ways the international community can assist in combating piracy and its prosecution?

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## THE SITUATION IN THE MIDDLE EAST

The Palestinian Question remains one of the most discussed topics in the Security Council since Israel declared its independence in 1948. The Six-Day and October War and the Israeli invasions of Lebanon have only further complicated the process of resolving the Palestinian question both in terms of displaced persons and defining Palestinian territory. In 1987 Jordan ceded its rights to the West Bank to the Palestinian Liberation Organization (PLO). Israel and the PLO signed the Oslo Accords in 1993. As part of the Oslo Accords, the Palestinian Authority replaced the PLO in 1994 and became the governing body of the West Bank and Gaza Strip. While progress towards resolution of the Palestinian question was at first promising, the peace process broke down due to attacks by Palestinian groups and the ever expanding Israeli settlements in the West Bank.

After the breakdown of the peace process and the beginning of the Second Intifada in 2000, work towards peace in the Middle East has been a difficult process. The most recent progress occurred in 2003 with the Quartet, composed of the United States, Russia, the European Union and the United Nations, backing what is known as the Road Map. The Road Map suggested a permanent two-state solution to the Israeli-Palestinian conflict and the Palestinian refugee problem. Israel rejected some portions of the Road Map, while the Palestinian Authority pledged its support. Direct talks between Israel and the Palestinians held by US President Barak Obama in September 2010 met their demise only weeks after beginning due to Israel failing to renew a settlement freeze in the West Bank.

The situation in Gaza has been tense since the establishment of a blockade in 2007 when Hamas gained control of the Gaza Strip following parliamentary elections. The ensuing humanitarian and economic crisis precipitated a conflict in Gaza from 27 December 2008 to 18 January 2009. This conflict was originally sparked by rocket attacks from within Gaza and led to the deaths of 1,010 Palestinians and the destruction of 1,008 buildings in Gaza. A United Nations Human Rights Council (UNHRC) investigation resulted in a 575 page report which found both Israeli forces and Palestinian militants guilty of committing war crimes. The report found the Israeli Defense Forces (IDF) directly targeted and arbitrarily killed Palestinian civilians and directly targeted industrial and water installations while using Palestinians civilians as human shields. It also found Palestinian militants affiliated with Hamas to be guilty of deliberately targeting civilian populations. Several UN facilities were damaged during the conflict.

Following the conflict, Secretary-General Ban Ki-Moon called for the blockade on Gaza to be lifted in light of the humanitarian situation. The UN has estimated that nearly 80% of all imports to Gaza come through smuggling tunnels due to the blockade. An attempt to break the blockade on 31 May 2010 by a flotilla originating in Turkey ended with Israeli Defense Forces raiding and boarding multiple ships and nine attempted blockade breakers dead.

Efforts at restarting the peace process and moving toward a two-state solution, originally envisioned in General Assembly Resolution 181 of 1947, have reached a stumbling block due to Hamas control of Gaza and the expansion of Israeli settlements in the West Bank. Secretary-General Ban Ki-Moon has stated that expansion of Israeli settlements is illegal and acts against international law. Frustrated by a lack of progress in recent years the Palestinians are set to seek recognition from the UN General Assembly in September 2011. It is not yet clear if the Palestinians will seek membership as a sovereign state or a non-binding resolution recognizing Palestine as a state. Palestinian Observer Riyad Mansor argued in front of the Security Council 26 July 2011 that recognition of Palestine as a state would not hurt the peace process but instead would strengthen efforts toward establishing a two-state solution. Israel views the Palestinian appeal for state recognition as an effort to by-pass direct peace talks. Palestine is unlikely to gain UN membership as a state at this time due to the threat of a US veto. The question of how to establish and maintain a lasting peace in Israel, Palestine, and neighboring states remains.

Questions to consider from your government's perspective include the following

- What steps can be taken to persuade Israel, Palestine, and surrounding nations to adhere to the Road Map? Is the Road Map still a viable solution?
- Is a two-state solution a viable way to resolve conflict and bring about the changes envisioned in Resolution 242 and subsequent documents?

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## THE SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Since the end of the Second Congo War, the Democratic Republic of the Congo (DRC) remains a country in conflict. Rich in natural resources, the Democratic Republic of the Congo remains divided among several militant groups that are vying for control of the country's vast mineral wealth. Ethnic violence also continues in the wake of the Rwandan genocide when militant groups, both Hutu and Tutsi, crossed into the eastern portions of the DRC. Militant groups arose within DRC in response to these incursions. These groups, along with the Forces Armées de la République Démocratique du Congo (FARDC), came into conflict in 2008. Following a conflict on 28 August 2010, large-scale hostilities broke out in the eastern part of the DRC between Congrès National pour la Défense du Peuple (CNDP) and FARDC. FARDC, Democratic Forces for the Liberation of Rwanda (FDLR), Coalition of Congolese Patriotic Resistance (PARECO) and various Mai-Mai groups fighting the CNDP led to the displacement of 250,000 people between August and November 2008. Fighting continued until a ceasefire was negotiated by UN special envoy, former Nigerian President, Olusegun Obasanjo, in November 2008. Following the arrest of CNDP leader Laurent Nkunda in January 2009, the remaining CNDP, under the command of Bosco Ntaganda, reached an agreement with FARDC integrating them into the DRC's armed forces, although integration met with limited success.

Although the fighting has diminished following cooperation between the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and FARDC, eastern and northern portions of the DRC still remain in conflict. Foreign-armed groups as well as Congolese armed groups, continue to carry out violence against civilians in the provinces of Orientale, North Kivu and South Kivu. Joint operations between FARDC and the Rwandan armed forces, to hunt down the FDLR, caused an increase in violence from reprisal killings against suspected collaborators. Nearly 160,000 people were displaced by the joint Rwandan-Congolese offensive and FDLR counter offensive between January and March 2009. This precipitated the FDLR forging an alliance with the Congolese Mai Mai in the mineral rich region of Opienge. FARDC once again went on the offensive against FDLR troops claiming 600 killed or captured between January and March 2010 with UN peacekeepers backing the mission. While joint operations with MONUSCO backing FARDC have decreased between 2010 and 2011, they met with some success. More officers in the FDLR are cooperating with disarmament and repatriation.

In addition to the elements of the FDLR remaining in DRC, FARDC faces the continued problem of Lord's Resistance Army (LRA) attacks and kidnappings in Orientale Province. Joint operations have been carried out between FARDC, Ugandan and South Sudanese armed forces against LRA bases in the Garamba National park, after Joesph Kony, leader of the LRA, failed to appear to sign a peace deal with the Ugandan government to end its rebellion. While the most brutal attacks by the LRA took place in December 2009 with LRA forces killing at least 321 and abducting 250, including 80 children, 437,000 continue living displaced within DRC from Orientale Province alone due to the notoriously violent LRA. However the LRA is not just a concern for DRC; South Sudan, Uganda, and the Central African Republic have all suffered attacks by LRA forces in recent years.



Militant groups in the Democratic Republic of the Congo have been accused of terrorizing civilian populations through brutal killings, forced labor, rape, and conscription of child soldiers. MONUSCO, with approximately 22,000 personnel throughout DRC, remains the largest UN peacekeeping mission. However despite its troop size, the force remains in need of equipment, specifically military helicopters to transport troops due to DRC's poor infrastructure. This force (formerly The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)), active since February 2000, is tasked with protecting civilians from militant groups and undisciplined elements of FARDC, usually former CNDP, in eastern portions of the DRC. MONUSCO also allows for humanitarian assistance to the displaced. Today, 1.7 million people within the DRC remain internally displaced primarily from Orientale and the North and South Kivu provinces. These internal displacements have exacerbated outbreaks of polio, measles and cholera in the past year.

In October 2010, the Mapping Report detailing the most serious human rights abuses between March 1993 and June 2003 was released following a delay due to protests by the Rwandan government for its portrayal of Rwandan involvement in mass killings. Both Rwanda and Uganda's governments have been dismissive of the report. Speculation over political fallout regarding Rwanda, Uganda, and Burundi's peacekeepers in ANISOM abounded prior to the report's release. While all nations continued their peacekeeping efforts in Somalia, the report detailed what is described as, "one of the most tragic chapters in DRC's recent history." Within it were 617 accounts of war crimes and potential crimes against humanity often committed in close proximity to UN peacekeepers without their knowledge. This, along with reports of mass rapes in North Kivu by FARDC forces between 31 December 2010 and 1 January 2011, have served as a stark reminder of the inadequacy of the UN force in protecting civilians in DRC.

The situation in the Democratic Republic of the Congo is further complicated by the exploitation of the DRC's mineral resources in the form of gold, tin, copper, cobalt, coltan, and wolframite smuggled through neighboring states to industrialized nations across the world. This mineral exploitation is fueled by ongoing support from neighboring countries, particularly Rwanda. While this has improved with greater public awareness of conflict minerals and laws passed within DRC, conflict minerals continue to drive violence in eastern DRC.

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

- Should the UN consider drawing down the number of peacekeepers or moving them to deal with the LRA more effectively? Should support continue for FARDC missions?
- How can the aspect of conflict minerals and their role in fueling this crisis best be addressed by the Security Council?

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## THE SITUATION IN LIBYA

The history of Libya over the past forty years is essentially dominated by the history of its leader, Muammar Gaddafi. In his nearly forty-one year reign, Muammar Gaddafi has experienced a troubled past with the international community and the United Nations. During the Cold War, Gaddafi focused primarily on opposing the West and promoting leftist ideology and pan-Africanism. Gaddafi's affiliations included the support of terrorist groups around the world including the Irish Republican Army and many pro-Islamic and pro-communist groups within Asia. Gaddafi's radical associations and support of terrorism eventually led many Western nations to cut diplomatic ties with Libya. Libya's association with terrorism came to a head in 1988 with the bombing of Pan Am Flight 103 by state-sponsored Libyan terrorists. Fallout from the terrorist act eventually resulted in ten years of UN sanctions against Libya and fifteen years of sanctions from the US.

After the fall of the Soviet Union, Gaddafi began to modify long-held stances on international affairs and publicly denounced terrorism. Throughout the early 2000's Gaddafi began to re-brand Libya as a more moderate nation, a move which included publicly announcing in 2003 that Libya would dismantle its chemical, biological, and nuclear weapons programs and inviting the world to inspect and help with the disarmament process. Over this time period, Libya reinstated many of the diplomatic ties lost in past decades. These newly strengthened ties helped Gaddafi keep control of Libya despite the fact that he continued to lead a corrupt and, at times, despotic government.

In early 2011, Gaddafi's hold on Libya began to falter as the movement deemed "Arab Spring" took root across the Middle East. Following citizen uprisings in both Tunisia and Egypt, much of the Arab world was on edge, especially nations with histories of oppressive government. The Arab spring reached a tipping point in Libya on 15 February 2011 after police used violence on a protest in Benghazi which was centered on the arrest of Fathi Terbil, a human rights activist. Protestors responded to the violence with numerous large protests the next day. Within days protests against Gaddafi sprang up across the country. Gaddafi and the police force responded to these protest with more violence, but these increasingly violent acts of state against civilians only intensified opposition. Over the following weeks many high level Libyan officials resigned their positions in protest of orders to fire upon citizens. In addition, there were numerous defections by Libyan military personnel. These defections included resignations and often joining rebels in the conflict after being given orders to attack civilians. The highest profile of these incidents involved the defection of two pilots and their aircraft to Malta after being ordered to use heavy weapons on protestors.

As the violence against the protestors and civilians increased, the international community began to take a sharper notice. This became evident following a 21 February attack by units loyal to Gaddafi in the Libyan air force upon rebels and civilian populations. Several foreign governments including, the US, the UK, Italy, Australia, Switzerland, and Poland as well as groups such as the EU and the Arab League called for an end to the violence. Threats of sanctions and other intervening actions accompanied calls for a cease-fire if the Gaddafi regime failed to comply. Initially, there was a call for the UN to set up a no-fly zone over Libya, the appeal failed to gain traction when it was first proposed for logistical reasons. Instead the international community and the Security Council responded with Resolution 1970 on 26 February 2011 which demanded an immediate end to the violence, referred the situation to the Prosecutor of the International Criminal Court (ICC), declared an arms embargo on the nation, a travel ban for 16 members of the Libyan government, and froze Gaddafi's foreign assets as well as those of five of his relatives. As the fighting and large scale violence against civilians continued the international community heeded calls for a no fly zone and on 17 March 2011, the Security Council passed resolution 1973 under article VII of the UN Charter authorizing member nations to take all necessary measures to protect civilians under threat of attack. The resolution authorized a no fly zone, strengthened the arms embargo created by resolution 1970, and expanded the travel ban and asset freeze.

In a reaction to Resolution 1973, Gaddafi originally indicated that he would comply with the UN's resolution and call for an immediate cease fire. However, Gaddafi's forces renewed their assault on the areas surrounding the rebel strong hold of Benghazi. On 19 March, the international military response to Gaddafi's actions began. A wave of bombardment against targets necessary to enforce the no-fly zone commenced. A coalition of French, Italian, US, and UK militaries enforced a no-fly zone, destroyed Libya's larger military capabilities, and engaged Libyan ground forces to prevent them from advancing on rebel held cities. As military actions began, some in the international community questioned the motives behind the tactical objectives. Securing the airspace above Libya so that Gaddafi could no longer use fighter jets against civilian populations was necessary. However, active engagement of ground units, air support for rebel positions, and the destruction of Libyan military capabilities were viewed by some Member States as being beyond the scope of resolution.

At the end of March NATO officially took command of Coalition air operations in Libya (which now included Arab League representation) and daily strikes against Gaddafi's forces continued. It is estimated that, as of late June, nearly one third of Libya's military capabilities have been destroyed. Within Libya, rebel forces managed to control most of the eastern half of the nation. Despite the support that the rebels received from Coalition actions, they have reached a stalemate with the pro-Gaddafi forces. Based out of Benghazi, and holding major cities including Ajdabiya and Misrata, the rebels have made several pushes toward the capital of Tripoli, but have been repelled. The rebel force is poorly funded, trained, and ill-equipped, and it is unlikely they could sustain a drawn out conflict with the Libyan military. Politically, the rebels are represented by a national Transitional Council, headquartered in Benghazi. The National Council does not see itself as a new government for the nation, but rather the political arm of the rebel movement. However, they have declared themselves to be the sole representation of Libya and Libyan interests, and have been recognized as such by several Member States.

On 28 June, the ICC issued an arrest warrant for Muammar Gaddafi; his son, Saif al-Islam; and head of military intelligence Abdullah Senussi citing crimes against humanity and political opponents. Gaddafi refuses to answer to the arrest warrant stating that the ICC had no jurisdiction in Libya.

Questions to consider from your government's perspective include the following

- What should the eventual solution for the Libyan situation be? How can your country help achieve this solution?
- Should the international community directly help the rebel forces? How might the ICC indictment affect the peace process?

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## THE SITUATION IN SUDAN

In 2003, a rebellion broke out in the Darfur region of Sudan, separate from the civil war that was already engulfing the country. Even



though the north-south civil war ended in 2005 with the signing of the Comprehensive Peace Agreement (CPA), conflict remained in Darfur. Rebels, called the Sudanese Liberation Army (SLA), attacked government and military facilities throughout Darfur, which led to retaliation by local militias known as the Janjaweed. The Janjaweed are backed by the Sudanese government and have often worked in conjunction with the Sudanese Armed Forces (SAF). The conflict in Darfur has resulted in the deaths of over 300,000 people and the displacement of over three million more. While several Member States and NGOs have declared the events in Darfur to be genocide, the United Nations has not declared the fighting to be genocide.

Resolution 1769 (2007) established the United Nations-African Union Hybrid Operation in Darfur (UNAMID). The UNAMID was created to assist the African Union force already in place (AMIS) and to respect the sovereign wishes of the government of Sudan by placing a peacekeeping force primarily composed of African peacekeepers in the region. The UN assumed full authority in January 2008. UNAMID's mission in Darfur is to monitor the humanitarian and security situations and the implementation of the Darfur Peace Agreement, signed in 2006. Violence continued between the SAF and the Sudan People's Liberation Army, preventing the return of refugees from Uganda, Kenya, and Ethiopia in late March 2009. At least 300,000 people are estimated to have died and 2.7 million more have been driven from their homes in the fighting. In December 2009, civil society and armed movements agreed to re-start consultations in January 2010 to be followed by direct talks between the Government and movements on 24 January 2010 in Qatar. In February of 2010, the Justice and Equity Movement (JEM), the largest rebel group in Darfur, and the Sudanese government signed an agreement aimed to pave the way for a permanent resolution. The UNAMID has confirmed continued air strikes since this agreement in South Darfur.

Following the referendum of 9-15 January 2011 that resulted in an overwhelming majority of South Sudanese opting to form a separate nation, questions remained as to the status of Abyei, a region and city that straddle the proposed border between the two sides, that was originally supposed to have a simultaneous referendum on which side to join in the event of a split. The parties could not come to an agreement as to who should be allowed to vote in the Abyei referendum; as a result, the vote did not take place. Clashes began between Arab Misseriya nomadic cattle-herders linked to the North and the Dinka ethnic group linked to the South during the referendum period and escalated until May 2011. In the jointly administered region, troops of the SAF, accompanied by UN peacekeepers, were attacked by Southern Sudanese forces on 19 May 2011. SAF troops launched a massive counter attack, over running the city and causing the flight of an estimated 30,000 civilians from bombing and shelling. Sudan unilaterally declared the joint administration of Abyei to be dissolved. The retaliation by the SAF has been viewed as disproportionate and an effort to solidify the north's territorial claim on Abyei and its oil wealth. The Temporary Arrangement for the Administration and Security of the Abyei Area was reached between SLA and Sudan on 20 June 2011. This was shortly followed by the establishment of the UN Interim Security Force for Abyei (UNISFA) on 27 June 2011. This force's six month mandate tasks it with demilitarizing, de-mining, assisting in humanitarian aid, and, where necessary, protecting Abyei's oil infrastructure during the negotiations for a peaceful solution to the fate of the Abyei region. The mandate of United Nations Mission in Sudan (UNMIS) expired, however it was replaced by the United Nations Mission in Southern Sudan which was tasked with monitoring

the border to prevent conflict with its recently separated neighbor as well as other tasks aimed at helping the newly formed Republic of Southern Sudan (UNMISS), which became a Member State of the UN 13 July 2011, set up necessary institutions while attempting to mitigate external forces such as the Lord's Resistance Army, through cooperation with other UN missions in the region. Khartoum had proposed UNMIS, operating in Abyei, be replaced by a "more effective" African force prior to its replacement with UNMISS in Southern Sudan and UNISFA in Abyei. While these new peacekeeping forces are in place tensions will likely remain along the border until the long term fate of Abyei is decided.

Questions to consider from your government's perspective include the following

- Are there ways to make UNAMID more successful in Darfur?
- Why has the violence in Darfur continued to escalate despite the Darfur Peace Agreement? How might these factors be overcome?
- How might neighbor state involvement further complicate the security situation in Darfur and South Sudan?
- How can the UN facilitate a peaceful transition in the decision regarding the fate of Abyei?

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# CHAPTER THREE

## THE HISTORICAL SECURITY COUNCIL OF 1973

### Members of the Historical Security Council of 1973:

Australia	Panama
Austria	Peru
China	Sudan
France	Union of Soviet Socialist Republics
Guinea	United Kingdom
India	United States of America
Indonesia	Yugoslavia
Kenya	

### ABOUT THE HISTORICAL SECURITY COUNCIL

The 2011 American Model United Nations Historical Security Council - 1973 (HSC-1973) will simulate the events of the world beginning on 21 February 1973. Historically, the key international security concerns at this time revolve around the situations in Africa, including Southern Rhodesia and South Africa. The conflict in the Middle East is of significant concern, especially with relations between Israel and her neighbors after the Arab defeat in the 1967 Six-Day War. The war in Vietnam is also a key underlying factor in world politics, although it received limited formal attention in the Security Council. However, the Cold War struggles between the United States and the Soviet Union have been muted somewhat through the policy of détente, allowing both sides to work together on more issues of mutual concern.

In 1973, Kurt Waldheim was the Secretary-General of the United Nations, Richard Nixon the US President, and Leonid Brezhnev the General Secretary of the Communist Party of the Soviet Union. The Shah's government was in power in Iran, and the Peoples Republic of China, rather than the Republic of China (on Formosa/Taiwan), was officially represented in the United Nations.

AMUN's HSC-1973 is unique not only in its topics, but also in its treatment of those topics. History and time are the HSC's media, and those media are flexible. 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 upon the capabilities of their governments.

Effective role-playing for an HSC Member State will not be just a routine replay of national decisions as they evolved in 1973. Indeed, the problems of the era may not transpire as they once did, and this will force active evaluations - and reevaluations - of national policies. Beyond this, it cannot be said that the policy course a government made in 1973 was necessarily the wisest. While role replays must be, by definition, 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 a second chance.

It will be the job of Council Representatives to actively involve their country's national policies and national capabilities in solutions to the problems and issues which may not have had adequate contemporary resolutions. There is almost always more than one alternative choice in any situation.

In particular, the international community has often chosen not to actively involve itself in many regional disputes or political crises where it might have shown greater involvement. The UN itself has often been but a bystander to regional or international conflict. This inability or unwillingness to actively work toward solutions to 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. One major factor in whether or not to be actively involved or to be a bystander, which representatives must consider, is the costs of peacekeeping with the deployment of regional missions. High costs often caused the Security Council to reprioritize their peacekeeping efforts.

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 solutions. This task must, however, be accomplished without violating the bounds of the Member States' national characters. This year's simulation will often feature regional crises being treated as internal by those involved as well as other crises which are so global in nature as to require UN involvement.

Representatives should approach these issues based on events through the final days of 1972 and early days of 1973, 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 38 years, but none of these changes will be evident within the chambers of the HSC. While histories of the period will be fine for a general overview, Representatives should also peruse periodicals from mid-to-late 1972 to most accurately reflect the world view 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 *Readers 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 time line based on events as they occurred, and 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. They may have access to the up-to-the-minute policy

decisions of their countries, or they may be relatively in the dark on their countries' moment-to-moment actions in the world.

In this area, the AMUN Simulation Staff 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 Simulation Staff 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, the Simulation Staff 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/Council, preferably with a second Representative who can cover that Committee/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.

Some of the delegations which may be called before the HSC during the 1973 time frame include Israel, Egypt, Syria, Lebanon, Jordan, South Africa, and Southern Rhodesia [current-day Zimbabwe], among others.

## BACKGROUND RESEARCH

The following are brief synopses of the main international situations facing the Security Council on 21 February 1973. The prominent events of 1972 are discussed, as well as some questions which will face the Security Council at the turn of the year. This research is intended merely as a focal point for Representatives' continued exploration of the topics.

## GENERAL BACKGROUND ENTERING 1973

1972 was a pivotal year for international affairs, a time in which several regional crises dramatically heightened world tensions, while new cooperation between the US, USSR, and Communist China began to ease the superpower conflict which had been raging.

With Communist China receiving full recognition and assuming the Chinese seat at the United Nations in 1972, world focus was

turned in this direction. US President Nixon's historic visit to China in February, followed by full diplomatic relations between the two countries in March, was a highlight of the spread of détente which occurred in 1972. China pushed for the complete removal of all references to "Taiwan" at the UN, and this request was grudgingly granted. New Secretary-General Kurt Waldheim visited China in August, and China and Japan ended their formal state of war (in existence since WWII) in September. On the opposite side, China alienated international opinion in March by conducting an above ground nuclear test.

US and Soviet relations also improved dramatically in 1972, with Nixon and Brezhnev signing a Strategic Arms Limitation pact in May, and finalizing a US/Soviet trade pact in October. Soviet and Chinese relations, however, deteriorated in 1972. This was evidenced with territorial disputes, the Soviets accusing China of attempting to break apart the Communist world, and China supporting anti-Soviet governments wherever possible.

The recognition of Bangladesh as a state, along with its admittance to the UN, was a major stumbling block for international relations in 1972. The USSR and US led the international community in supporting Bangladesh's independence, with the USSR offering trade agreements in March, and the US formally recognizing Bangladesh in April. China, however, continued to support its trading partner Pakistan in efforts to prevent Bangladesh's (formerly East Pakistan) independence. China postponed the issue of Bangladesh's UN admittance for most of the year, and in August cast its first Security Council veto to prevent Bangladesh's admittance as a Member State. This deadlock continues into 1973.

Two issues specific to the Security Council highlighted new movements in 1972. The historic UN Security Council meeting in Addis Ababa, Ethiopia in February was the first ever meeting in Africa, and served to dramatically highlight African issues. Also, in November, Guinean Ambassador Mrs. J.M. Cisse became the first woman ever to preside over the Security Council, giving additional focus to women's equality issues around the world. Finally, the November agreement by East and West Germany to begin diplomatic relations served to pave the way for their future acceptance as UN Member States. After a year of debates, the agreement was reached and the US, USSR, United Kingdom and France announced they would support joint admittance to the UN in 1973, upon ratification of a formal treaty.

Overall, 1972 was a difficult year for the United Nations. The permanent members chose to handle many of their conflicts and agreements outside of the UN, leaving the other Member States feeling that internationalism was going backward, and that the UN might go the way of the League of Nations. In particular, US relations with the UN significantly deteriorated in 1972, with the US going so far as to state that they would use their veto more liberally and no longer take a soft stance on "bad" resolutions, namely those which did not actively deal with world problems from a US perspective. This is the atmosphere in which Representatives will begin their deliberations in the 1973 Security Council.



## THE SITUATION IN THE MIDDLE EAST

After the 1967 war, Arab and Israeli hostilities continued as before in the Middle East, with increased hostilities and continual small conflicts vexing the region. Between 1967 and 1970, Egypt and Israel engaged in a three-year border war known as the War of Attrition. A ceasefire was finally approved in 1970, but continued clashes along the Suez Canal continue into 1973. While the conflicts were not on as large a scale on other borders, Israel did have several clashes with Syria and with Palestinian guerillas operating from Lebanon.

Military incidents involving Israel continued throughout the year, mainly revolving around Arab guerilla bases in Lebanon and Syria. Numerous Israeli attacks occurred, always in response to “terrorist” attacks by Arabs into Israel. In September 1970, Jordan went on the offensive against Palestinian guerillas operating from within Jordanian borders, ousting them to keep retaliation attacks from Israel down. The peak of these attacks happened in September, with the 1972 Olympic Games incident in which 11 members of the Israeli Olympic team were killed by Arab gunmen at the Games. This invoked significant world opinion against the attacks, and led to a large-scale retaliation by Israel against Arab bases in Lebanon and Syria. The US continued to prevent strong Security Council action against Israel, supporting only resolutions which led to a non-specific cessation of hostilities, and not allowing for Israeli condemnation at the hands of the UN.

The question of a Palestinian state was another continuing issue in 1972, with the most dramatic action being a Jordanian proposal for a semi-autonomous state in the occupied West Bank in March. This proposal was quickly rejected by Israel. Other Arab states rejected the proposal as well, especially since Jordan had ousted the Palestinian guerillas from Jordan in September 1970.

In July 1972, Anwar Sadat took a significant step in expelling all Soviets from Egypt and nationalizing all former Soviet military bases in that country. This move to counter Soviet influence was a significant step toward lessening the superpower conflict which exists in the Middle East. Soviet advisors peacefully departed Egypt by early August.

Finally, heavy border fighting between North and South Yemen occurred in September, and the potential exists for continued clashes in 1973.

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

- What actions can be taken to prevent future Arab/Israeli violence and terrorist activities along the Lebanon and Syria borders?
- Can a Palestinian state be successfully achieved in the Israeli occupied territories (or elsewhere)?
- What can the United Nations do to help ensure lasting peace in the Middle East between Israel and her Arab neighbors?

## THE SITUATION IN RHODESIA

After the Unilateral Declaration of Independence (UDI) by Southern Rhodesia in 1965, the issue has continued to receive significant international attention at the United Nations. Negotiations between

the British and the Rhodesian government have not made the headway hoped by the African nations. This led to British-sponsored Security Council resolutions calling for sanctions on Southern Rhodesia. However South Africa and Portugal continued to violate the sanction resolutions of the United Nations. By 1972, the lack of change in the government’s policies regarding formal discrimination against black Africans was the focus of most UN attention. Additional limits on black land ownership in “European” areas and Rhodesia’s continued reticence to accept UN initiatives were two critical issues.

The US and Great Britain’s continued tacit support for the Rhodesian government significantly complicated the issue from the UN’s perspective. The resumption of trade in chrome and nickel between the US and Rhodesia, in direct violation of the UN’s 1968 embargo against trade, flew in the face of international opinion. In July, the US abstained in a 14-0 Security Council vote to condemn “all acts violating” the economic sanctions against Rhodesia, considering US actions to be outside of these sanctions. In September, the United Kingdom vetoed an African-sponsored resolution on Rhodesia, calling for stronger economic sanctions and a direct settlement of the Rhodesian issue. This resolution also called for three significant points: no independence before majority rule is established; the use of universal suffrage, including secret ballots and a 1-man, 1-vote process for determining Rhodesia’s future; and a request to the UK to “try its utmost to bring about free expression of rights and self-determination” in Rhodesia.

The international community did make a significant statement in 1972, however, in barring Rhodesian athletes from participation in the 1972 Munich Olympic Games. This came in direct response to a threatened boycott of the Games by many African states, as well as by black athletes in the US, and highlighted the country’s struggle for international recognition.

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

- How can the government of Rhodesia be brought into compliance with international desires for a majority government?
- What actions can the Security Council take that will be acceptable to the Western powers, especially the US & UK?
- What other options are available on a regional or international level to help solve the conflict in Southern Rhodesia?

## THE SITUATION IN SOUTHWEST AFRICA

In 1971, the International Court of Justice confirmed that the United Nations had authority over Namibia. However, in direct violation of a UN mandate, South Africa continued to administer the territory of Southwest Africa (known as Namibia by the United Nations), justifying its actions via the League of Nations mandate which made South Africa the original administrator. In late 1971, a general strike in Southwest Africa paralyzed the Namibian economy, causing South Africa to imprison strike leaders and to declare a state of emergency. Throughout 1972, Secretary-General Waldheim, at the request of the Security Council, was in direct contact with the South African government, attempting to resolve the issue of independence.



The dispute continued to revolve around South Africa's insistence on pressing for a "homelands" policy for Southwest African natives, thus limiting independence and continuing South African governance. South Africa also favored the creation of an "advisory council" of regional leaders to assist South Africa in the governance of Southwest Africa. Both of these proposals were seen as unacceptable by the United Nations because the Council maintained that these proposals would lead to the fragmentation of Namibia.

The Security Council is scheduled to continue the debate on Southwest Africa in early 1973, including the issue of whether to extend the Secretary-General's mandate to continue direct negotiations with South Africa.

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

- How can the government of South Africa be enticed or induced into complying with UN resolutions for the independence of Southwest Africa (Namibia)?
- Should the Security Council extend the Secretary-General's mandate to continue direct negotiations with South Africa?
- What can the United Nations do to encourage representation of Namibian nationals in the independence process?

## THE SITUATION IN UGANDA

In 1971, General Idi Amin launched a coup in Uganda, sending President Obote into hiding in Tanzania. Over the next two years, General Idi Amin's government in Uganda came under increased international scrutiny, largely because of its potential destabilizing influence on the East African region.

Guerilla raids, insurgencies and the incursion of over 1,000 troops from Tanzania into Uganda occurred throughout September 1972. These troops, consisting mainly of Ugandan rebels sponsored by Tanzania and loyal to ex-Ugandan President Milton Obote, were counting heavily on mass defections by the Ugandan military to supplement their force. When these defections failed to materialize, guerilla raids continued throughout September, ending in mid-October with a formal agreement to end hostilities between Tanzanian and Uganda.

Also in September, General Amin formally ordered the expulsion of all Asians (mostly Gujaratis of Indian origin) from Uganda, calling them traitors and spies for the imperialist British government. This racist policy was decried by the UN, and provisions were rapidly made to deal with the large exodus of Ugandan refugees. Many went to the United Kingdom, as well as the United States and several European countries. The expulsion began a significant political conflict between Uganda and the United Kingdom, mainly focused on the treatment of the refugees and on their ability to take material goods out of the country, which was severely limited by Uganda.

Finally, the 18 December 1972 seizure by Amin's government of all foreign owned tea plantations and eight of the biggest commercial companies in Uganda (7 British and 1 American) raised anew the question of Uganda's destabilizing influence in the area. Uganda's break-off of ties with Israel, its tenuous new relationship with Libya, and the perceived dangerous and unpredictable nature of Idi Amin all threatened to bring Uganda further into the international spotlight in 1973.

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

- What actions, if any, should be taken to prevent the spread of instability or violence in Eastern Africa?
- What actions can the United Nations take to encourage Member States to not harbor terrorists or guerilla fighters in their countries?
- What can the United Nations do to help with the refugee problem from African states?

## THE SITUATION IN VIETNAM

In the mid-1960s, Republic of Vietnam and the United States, its primary ally, began a more aggressive approach to push the North Vietnamese out of South Vietnam and to destroy North Vietnamese operations near Saigon and along the Ho Chi Minh Trail. However, the North Vietnamese and the Viet Cong fought back violently. On 31 January 1968, the North Vietnamese and the Viet Cong began numerous surprise assaults on cities, towns, and military installations in South Vietnam, known as the Tet Offensive.

In 1968, peace talks began in Paris between the US and the North Vietnam, which refused to recognize the government of South Vietnam. The talks resulted in an agreement to partially halt bombing. The Paris talks continued into 1969. By early 1969, the US began secret bombing attacks on Cambodia to target North Vietnamese supply caches. After a coup deposed Cambodian head-of-state Prince Sihanouk in 1970, the US launched heavy airstrikes into Cambodia and Laos against North Vietnamese supply camps in January 1971.

On 10 March 1971, China pledged complete support of the North Vietnamese struggle against the US. While the North and South Vietnamese situation was discussed heavily in the General Assembly in 1972, the issue was kept out of formal Security Council discussions because of US insistence that the Vietnam War was strictly in the US sphere of influence. Tensions from this conflict, however, continue to spill over into and influence Security Council relations in other areas. Vietnam was very much an issue behind the scenes, with the USSR and China continuing to support North Vietnam and with many nations opposed to the continued bombing of North Vietnam by the US.

In March 1972, North Vietnam attacked South Vietnam across the Demilitarized Zone (DMZ), which resulted in US retaliatory bombing of the DMZ and North Vietnam in April. Between March and September 1972, over 200,000 North Vietnamese soldiers waged an all-out attempt to conquer South Vietnam in a campaign known as the Easter Offensive. This Offensive left several cities in North Vietnamese hands, some of which were won back in fighting in October 1972. Bombing by the US continued throughout the year with little abatement.

The conflict peaked in December with heavy carpet bombing by the US. Along with significant reports of bombing of civilian structures, including some foreign embassies and hospitals, significant portions of heavily populated civilian areas in Hanoi were "reduced to rubble" by the bombings. In December 1972, a cease fire was upheld for two days over Christmas, but this was followed by the resumption of heavy US bombing.

The Paris Peace talks also continued throughout 1972, with US Secretary of State Kissinger engaging North Vietnamese leaders. These private talks continued to meet with limited political success, although it was rumored that some significant technical and military issues were closer to resolution as a result. On 27 January 1973, the Paris Agreement was signed by the four parties: North Vietnam, the Viet Cong, South Vietnam, and the US. Details were worked out regarding US troop reduction, prisoner of war exchanges, etc. A final significant issue was the presence of North Vietnamese troops in neighboring Cambodia. Occupied portions of Cambodia were utilized as a staging area for advances by the North, and the effect of any US/North Vietnam peace negotiations brings into question the possible disposition of troops in Cambodia after a separate US peace.

Currently, the four party negotiations are working to enforce the cease fire among the parties and to coordinate US troop reduction. On 17 February, the four parties issued a joint appeal for all parties concerned to observe the cease fires. As the negotiations and troop withdrawal continues, more emphasis on keeping the cease fire in effect will be needed.

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

- What actions, if any, are appropriate for the Security Council to take in working to maintain the cease fire agreement between the four parties?
- What actions can the Council take to limit the spread of the conflict to other nations in the region?
- What is your country's position on the war in Vietnam and how do the parties involved influence your country's decisions towards the conflict?

## OTHER OPEN ISSUES

Any issue on the world scene in 1973 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 21 February 1973.

## Bibliography

Please note: The books and documents listed below provide both contemporary and historical information on the year 1972. Any information provided for dates after 21 February 1973 will not be considered factual or appropriate in debates before the Council.

It is strongly recommended that representatives to the Historical Security Council consult contemporary materials, especially periodical sources from late 1972. These might include the UN Chronicle, the New York Times, Time magazine, and similar sources to get a better feel for the time in which the simulation occurs.

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## UN Documents

S/Res/309 - The Situation in Namibia (4 Feb 72)

S/Res/310 - The Situation in Namibia (4 Feb 72)

S/Res/311 - The Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa (4 Feb 72)

S/Res/313 - The Situation in the Middle East (28 Feb 72)

S/Res/314 - Question concerning the situation in Southern Rhodesia (28 Feb 72)

S/Res/316 - The situation in the Middle East (26 Jun 72)

S/Res/317 - The situation in the Middle East (21 Jun 72)

S/Res/318 - Question concerning the situation in Southern Rhodesia (28 Jul 72)

S/Res/319 - The situation in Namibia (1 Aug 72)

S/Res/320 - Question concerning the situation in Southern Rhodesia (29 Sep 72)

S/Res/322 - Question concerning the situation in Territories under Portuguese administration (22 Nov 72)

S/Res/323 - The situation in Namibia (6 Dec 72)

S/Res/326- Provocation by Southern Rhodesia (2 Feb 73)

S/Res/327- Zambia's Decision to Impose Sanctions (2 Feb 73)



# CHAPTER FOUR

## THE HISTORICAL SECURITY COUNCIL OF 2003

### Members of the Historical Security Council of 2003:

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

### ABOUT THE HISTORICAL SECURITY COUNCIL

The 2011 American Model United Nations Historical Security Council - 2003 (HSC- 2003) will simulate the events of the world beginning 5 February 2003. Historically, the key international security concerns at this time revolve around the question of terrorism and its effect on international peace and security, and within this, the idea of rogue nations. Major topics being discussed in 2003 were: Iraq's continuing refusal to fully comply with weapons inspections, including the question of the effectiveness of sanctions; the continuing breakdown in peace and security in both the Democratic Republic of the Congo (DRC) and Liberia; and the continuing question of Palestine and the Middle East peace process. In addition, the Council also had its eye on continuing peace processes around the world, the highest profile of which being Afghanistan's recovery and political reorganization.

In 2003, George W. Bush was the United States President and Tony Blair was the Prime Minister of the United Kingdom. Saddam Hussein was in power in Iraq. Yasser Arafat headed the Palestine Liberation Organization and Ariel Sharon was the Prime Minister of Israel. The DRC government led by Joseph Kabila is being threatened by rebel forces from both Uganda and Rwanda. Destabilization persists in Liberia and Sierra Leone as Liberian President Charles Taylor continues to vie for regional dominance. And, overall, the world and the Council continue to face a new era of threats to peace and security in the question of terrorism and terrorists. 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 2003. 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 2003 was necessarily the wisest. While role 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. Representatives will need to decide what changes, if any, could have been made to the Security Council's posture on the various issues.

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Representatives should approach these issues based on events through the final days of 2002 and into January of 2003, and should do their research accordingly. In studying their role playing assignments, it is strongly recommended that research be done on these topics using materials from the time period. The world and political opinion has changed since 2003, but none of these changes will be evident within the chambers of the HSC. While histories of the period written more recently will be fine for a general overview, representatives should also peruse periodicals from mid-to-late 2002 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. It is important to note that the timeline can and will be modified by the representatives' policy decisions in the Council. As such, some events that occur in real life past the simulation start date may happen earlier, later, or not at all in the internal simulation timeline. 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.



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## THE SITUATION IN AFGHANISTAN

Afghanistan has seen major changes in its political structure over the past year. Currently, provisional power rests with the Transitional Administration (TA), a US-led force charged with moving the country toward stability and overseeing the creation of a constitution and democratic institutions. Three issues stand as roadblocks to the success of this process. First, TA critics claim that the constitutional framework was developed 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, and many harbor high levels of suspicion and doubt about the intentions of the TA. 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. Finally, within the territories the TA does control, security has been incomplete and ineffective. The UN's efforts in Afghanistan 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 at the Bonn Conference, where political and mediation efforts were carried out by the UN Special Mission for Afghanistan (UNAMA). 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 the continuing security concerns brought by the Taliban and al-Qaida, internal power struggles among various Afghan factions have made governing outside of the capital difficult. 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. Qadir's assassination prompted US personnel to take over as security for President Karzai. Disputed governorships have destabilized several provinces, and sporadic fighting among factions has occurred in seven provinces.

On 20 December 2001 the Security Council adopted Resolution 1386 and authorized the establishment of the International Security

## 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.

Assistance Force (ISAF) for Afghanistan. While 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 international force, costing roughly \$300 million (US) per year, would be required to maintain peace and security in the country.

The UN has also been very active in humanitarian and development issues, led by the UN Assistance Mission in Afghanistan (UNAMA). Human rights abuses, refugees and displaced people, demining, food aid, health concerns, natural disasters, and women's rights issues are all immediate areas of concern that the UN is addressing. These efforts, though, are also subject to the volatile security situation. 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-Qaida and international forces.

Funding for UN activities is another overarching concern. 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 aforementioned 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 the following

- How can the UN help foster legitimacy for the constitutional process and transition Afghanistan to independent rule?
- Is there any more effective way for the UN to encourage a peaceful settlement among the internal factions vying for power?
- What will happen in Afghanistan if the internal security situation does not improve, and if funding is not received?

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S/2001/1215, 18 Dec 2001, SG's Report on Humanitarian Issues in Afghanistan

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S/2001/1154, 5 Dec 2001, The Bonn Agreement

S/2001/1086, 19 Nov 2001, SG's Report on Humanitarian Issues in Afghanistan

S/Res/1453 (2002)

S/Res/1444 (2002)

S/Res/1419 (2002)

S/Res/1413 (2002)

S/Res/1401 (2002)

S/Res/1390 (2002)

S/Res/1388 (2002)

## Additional Web Resources

Relief Web: [www.reliefweb.int](http://www.reliefweb.int) – up-to-date information about relief efforts in Afghanistan

Assistance Afghanistan Site: [www.pcpafg.org](http://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-crisi-group.org](http://www.intl-crisi-group.org)

## THE SITUATION BETWEEN IRAQ AND KUWAIT

Iraq has been a topic of discussion in the Council since Iraq invaded neighboring Kuwait in 1990. The Security Council condemned this action in Resolution 660. At the end of the conflict, sanctions were leveled and Iraq was ordered to comply with UN weapons inspections. Sanctions remain in place to this day, and weapons

inspection compliance has been debated on and off since 1991. The effectiveness of sanctions, Iraq's refusal to comply with weapons inspections, and the possibility of a renewed military campaign against Iraq have been the most recent points of discussion in the Council.

Over the past decade, it has become clear that the current sanctions are ineffective and are harming the Iraqi people while not seriously affecting the government. Sanctions have become subject to multiple violations, by both neighboring states and several major powers. In an effort to ease the burden of sanctions on the Iraqi people, the Council passed a revised sanctions regime on 14 May 2002. The new "smart sanctions," described in Resolution 1409, revise the Goods Review List and allow greater flexibility in the goods which Iraq may purchase. On 30 December 2002, the Security Council adopted resolution 1454 which approved adjustments in the biological, chemical, and missile-related areas of the Goods Review List of the Iraq "oil-for-food" programme to allow for a greater amount of humanitarian assistance items to pass through.

The United States has recently begun a campaign within the Council, pushing for military action against Iraq for its failure to fully comply with inspection requirements. The US cites the original resolutions against Iraq as justification for Member States to take "all means necessary" to limit the Iraqi aggression. In the current case, the US administration has accused Iraq both of supporting terrorism and of continuing to pursue programs to develop weapons of mass destruction. The push for military action has the support of the UK within the Council, but the issue has been divisive on the whole.

In late 2002, the Council came to a consensus on the need to verifiably disarm Iraq. Holding Iraq in "material breach" of its obligations under previous resolutions, the Security Council decided to afford it a "final opportunity to comply" with its disarmament obligations, while setting up an enhanced inspection regime for full and verified completion of the disarmament process established in 1991 by resolution 687. Resolution 1441 was adopted unanimously on 8 November 2002.

Through this resolution, the Security Council instructed that inspections were to resume within 45 days, and decided it would convene immediately if there were reports that Iraq was interfering with the inspections. The Council demanded that Iraq confirm its intention to comply fully with the Resolution. On 13 November, Iraq delivered its acceptance of Resolution 1441. Under the new inspection regime established by Resolution 1441, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) would have "immediate, unimpeded, unconditional and unrestricted access" to any sites and buildings in Iraq. They would also have the right to remove or destroy any weapons, or related items, they found. On 27 January, the Security Council heard formal briefings by the heads of the weapons inspections regime in Iraq. The Executive Chairman of UNMOVIC, Hans Blix, stated that it appeared Iraq had decided in principle to cooperate with inspections. At the same time, Blix drew attention to some outstanding issues and questions: UNMOVIC had conflicting information regarding chemical agents, including indications that particular agents had been weaponized; a number of chemical bombs containing some 1,000 tons of chemical agent were unaccounted for; and several thousand chemical rockets were also unaccounted for. On biological agents, Blix said Iraq had provided

little evidence for its declared production of 8,500 litres of anthrax and no convincing evidence of its destruction. Blix also noted that significant questions remained as to whether Iraq had retained SCUD-type missiles after the Gulf War. The Director-General of the IAEA, Mohamed ElBaradei, told the Council that, to date, the Agency had found no evidence that Iraq had revived its nuclear weapons program.

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

- Has time run out on the issue of compliance? If it has, what actions should the Council take; if it hasn't, what can the Council or your country do to ensure that Iraq will fully comply with weapons inspections requirements?
- Should sanctions be continued? Modified? Are they effective?

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- S/2001/582, 12 Jun 2001, SG Report on Iraq/Kuwait
- S/2001/505, 18 May 2001, SG Report on Iraq
- S/2001/287, 28 Mar 2001, SG Report on Iraq-Kuwait
- S/2001/186, 2 Mar 2001, SG Report pursuant to paragraph 5 of resolution 1330 (2000) - Iraq
- S/Res/1454 (2002)
- S/Res/1447 (2002)
- S/Res/1443 (2002)
- S/Res/1441 (2002)
- S/Res/1409 (2002) -- includes revised sanctions procedures
- S/Res/1360 (2001)

## Additional Web Resources

- [www.globalpolicy.org](http://www.globalpolicy.org) - The Global Policy Project
- [www.un.org/Depts/unmovic/index.htm](http://www.un.org/Depts/unmovic/index.htm) - UNMOVIC

# THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS

Prior to the events of 11 September 2001, the Security Council was not actively involved with terrorism as a distinct topic. Previous actions tended to focus on specific terrorist acts, as opposed to the broader topic of terrorism as a threat to international peace and security. However after the events of 11 September the Council became actively involved in the topic. Resolution 1373 established the Counter-Terrorism Committee of the Security Council. This committee has held frequent meetings on the topic since that time, including issuing its first report in October 2001.

Resolution 1373 and subsequent documents laid out the broad mandate for Security Council action on the topic and primarily focused on utilizing the Council's legal authority to request and compel action from the Member States. Actions and discussions to date have dealt with the funding of terrorism, entities or persons involved in terrorist acts, and with taking the necessary steps to prevent the future commission of terrorist acts. In addition, the Council authorized "all necessary measures" by Member States to deal with terrorist threats, leading directly to the US led action in Afghanistan against the Taliban regime and al-Qaeda.

The Committee's primary responsibility is to enforce the Council's resolutions on terrorism and is also charged with exploring ways to assist states in their own counter-terrorism efforts, especially those states which lack the technology or financial ability to successfully implement their efforts without outside assistance.

In addition to the work of the Committee, the Council held a Ministerial level meeting in November 2001 which led to the implementation of the "Declaration on the Global Effort to Combat Terrorism." The Security Council and the General Assembly both adopted the document which condemns all acts of terrorism and stresses the need for all states to sign on to the relevant treaties and legal documents dealing with international terrorism.

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

- Does your government fully support all of the Security Council mandates already in existence? Should additional steps be required of Member States to combat terrorism?
- How can states be better incentivized to comply with the existing Council resolutions on the subject?
- How active should the Council be in allowing military actions by Member States to combat terrorism in the future?

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S/PRST/2002/10, 15 Apr 2002

S/Res/1465 (2003)

S/Res/1438 (2002)

S/Res/1377 (2001), Declaration on the global effort to combat terrorism

S/Res/1373 (2001), Establishment of the Counter-Terrorism Committee

S/Res/1368 (2001)

## Additional Web Resources

[www.un.org/Docs/sc/committees/1373/](http://www.un.org/Docs/sc/committees/1373/) - Security Council Counter-Terrorism Committee

[www.un.org/terrorism](http://www.un.org/terrorism) - UN Action Against Terrorism

## THE SITUATION IN LIBERIA

The current conflict in Liberia dates back to 1989 when current Liberian President Charles Taylor and the National Patriotic Front of Liberia (NPFL), invaded from neighboring Côte d'Ivoire to overthrow then Dictator Samuel Doe. After the invasion by Taylor's forces, Liberia split along ethnic lines and open civil war erupted. In 1990, an Economic Community of West African States (ECOWAS) peacekeeping force entered Liberia in an attempt to stabilize the situation. The success of the ECOWAS peacekeeping force was limited after its motives were called into question when the other two factions in the civil war agreed to support an interim government chosen by ECOWAS, and ECOWAS forces joined in the fight against Taylor's forces. On 19 November 1992 the Council approved an arms embargo over Liberia. In August 1995, a peace agreement was signed which created a power sharing government between the three rival parties: the Republic of Liberia (Liberia), Taylor's government; Liberians United for Reconciliation and Democracy (LURD), supported by Guinea; and the Movement for Democracy in Liberia (MODEL), supported by Cote d'Ivoire. The formal peace plan was ratified in early 1996. However, in April 1996, fighting began in Monrovia, signaling a failure of the peace process. Free elections were held in 1997 after an alliance was formed between Taylor's forces and Nigeria. By a landslide vote, Charles Taylor became the president of Liberia. As of 1997, the civil war had claimed the lives of over 150,000 civilians and displaced hundreds of thousands more.

Adding to regional tensions is Liberia's involvement in Sierra Leone. President Taylor 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. The United States and the United Kingdom threatened to suspend

international aid to Liberia in response to the allegations. In July 2000, the Security Council passed Resolution 1306, creating a panel of experts to study the export of illegal diamonds and the funding of the illegal arms trade between Liberia and Sierra Leone. The panel's report found that there was overwhelming evidence that Liberia was actively supporting the RUF. The Security Council passed Resolution 1343 enacting a new 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.

Currently the United Nations is working with ECOWAS and the African Union (AU) to bring an end to the conflict and to stop it from further spreading into Sierra Leone. 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 the following

- What conditions would be required to break the deadlock between the disputing parties to get peacekeepers on the ground in Liberia?

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S/RES/1020 (10 November 1995)

S/RES/866 (22 September 1993)

S/RES/856 (10 August 1993)

S/RES/813 (26 March 1993)

S/RES/788 (19 November 1992)

## Additional Web Resources

[news.bbc.co.uk/2/hi/africa/1043567.stm](http://news.bbc.co.uk/2/hi/africa/1043567.stm) – Timeline of Events in Liberia

[www.usip.org/library/pa/liberia/liberia\\_09121994.html](http://www.usip.org/library/pa/liberia/liberia_09121994.html) - Contonou Agreement, 26 Mar 2002, Liberia

## THE SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

The spring of 2003 saw a serious increase in conflict in the Democratic Republic of the Congo (DRC). The Hema and Lendu ethnic groups, with various monetary and weapons support 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 since 1999 has accounted for 50,000 deaths and over a half of a million refugees. Regional powers have pledged to solve the conflict within the framework of the Launda Ceasefire 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 peacekeeping force called the Interim Emergency Multinational Force (IEMF).

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. The President of South Africa facilitated an inter-Congolese dialogue in 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 Congolese Pour la Democratie (RCD)-Goma.

In February 2000, MONUC's size and mandate were further expanded to over 5000 military personnel, and in June 2002 MONUC's mandate was extended to run through June 2003. Problems remain 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. In addition, 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. The continued rebel activity in many rural areas, along with the continuing presence of some external troops 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 the following

- How can the international community persuade the active parties in the conflict to cease operations and return to internationally recognized borders?
- What can the Council do to ensure the complete and permanent removal of foreign troops from the DRC?
- How can Member States better provide for the full implementation of MONUC and IEMF?

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S/2002/621, 5 Jun 2002 - Eleventh Report of the SG on the Democratic Republic of the Congo

S/2001/572, 8 Jun 2001 - SG Report on the Democratic Republic of the Congo

S/2001/373, 17 April 2001 - SG Report on the Democratic Republic of the Congo

S/2000/416, 11 May 2000 - Security Council mission to the Democratic Republic of the Congo, 4-8 May 2000

S/RES/1457 (24 January 2003)

S/RES/1445 (4 December 2002)

S/RES/1417 (14 June 2002)

S/RES/1399 (19 March 2002)

S/RES/1376 (9 November 2001)

S/RES/1355 (15 June 2001)

S/RES/1341 (22 February 2001)

## Additional Web Resources

[www.un.org/ecosocdev/geninfo/afrec/magazine.html](http://www.un.org/ecosocdev/geninfo/afrec/magazine.html) - Africa Renewal Online Magazine

## THE SITUATION IN THE MIDDLE EAST

Since the outbreak of the Second Intifada in September 2000, more than 1,800 Palestinians have been killed and over 25,000 have been injured. On the Israeli side, more than 600 people have been killed and over 4,000 injured. The situation reached a potentially critical point after the March 2002 "Passover Massacre" in which a Palestinian suicide bomber struck a large Passover Seder at the Park Hotel in the Israeli city of Netanya. In response, the Israel Defense Forces (IDF) launched a large-scale military operation in the West Bank. Operation "Defensive Shield" led to the reoccupation of cities under full Palestinian control, inflicted severe damage on the Palestinian security and civilian infrastructure, and created a humanitarian and human rights crisis in the West Bank. Most notably, the Israeli incursion into the Jenin refugee camp during the "Battle of Jenin" in April led to allegations of human rights abuses

and violations of international humanitarian law. Throughout the past year, there has been a significant rise in the number of Palestinian terrorist attacks, particularly suicide bombings, carried out in Israel against civilians.

Since January 2002, eight new resolutions have been adopted by the Security Council on this situation. In particular, resolution 1397 (2002), affirmed for the first time the Council's vision of a region where two States, Israel and Palestine, would live side by side with secure and recognized borders. Together, Security Council resolution 1397 (2002), 242 (1967), 338 (1973), and the Arab Peace Initiative have received wide support as a basis for a just, lasting, and comprehensive solution to the Arab-Israeli conflict. The international community has embraced the vision of a two-State solution. As a part of this effort, the United Nations, the United States, the Russian Federation, and the European Union came together to form a new coordinating mechanism for international peace efforts known as "the Quartet." Last year, the Quartet proposed the "Roadmap for Peace" as its plan to resolve the Israeli-Palestinian conflict.

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

- 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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S/RES/1428 (30 July 2002)  
S/RES/1415 (30 May 2002)  
S/RES/1405 (19 April 2002)  
S/RES/1403 (4 April 2002)  
S/RES/1402 (30 March 2002)  
S/RES/1397 (12 March 2002)  
S/RES/1391 (28 January 2002)

## Additional Web Resources

- [www.un.org/peace/jenin/index.html](http://www.un.org/peace/jenin/index.html) - Secretary-General's report on Jenin
- [www.un.org/media/main/roadmap122002.html](http://www.un.org/media/main/roadmap122002.html) - Elements of a Performance Based Roadmap for Peace

## OTHER ISSUES IN AFRICA

Though the peace process in Sierra Leone has been under way since the spring of 2000, concern still exists over how much the conflict in neighboring Liberia will continue to spill over. And Liberian President Taylor's role and influence in Sierra Leone and with the Revolutionary United Front (RUF) continue to be a top concern. Civil war in Cote d'Ivoire wages on despite French peacekeeping involvement. Reports indicate that factions from both Sierra Leone and Liberia are interfering in the conflict. 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.



## CHAPTER FIVE

# THE GENERAL ASSEMBLY

### Introduction

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

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

their Committee's mandate and into another Committee's area of discussion. This is known as the Committee's purview.

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

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

The following are brief descriptions of each Committee simulated at AMUN, along with the Committee's agenda, a brief purview of each committee, a brief background and research guide for each agenda topic, and the Committee's website address. Representatives should use this information as the first step in their research on the powers and limitations of their particular Committee in relation to the agenda topics.

## THE CONCURRENT GENERAL ASSEMBLY PLENARY

### Purview of the Simulation

The General Assembly Plenary typically considers issues that several Committees would have the power to discuss, but which would best be addressed in a comprehensive manner. Likewise, the General Assembly Plenary is also responsible for coordinating work between the many different bodies of the United Nations. For example, the 60th General Assembly recently established a Peacebuilding Commission that oversees the United Nations'

peacebuilding processes and coordinate the work of the Security Council, the Economic and Social Council, the Secretary-General, and Member States emerging from conflict situations. Note that if the Security Council, which is given the primary task of ensuring peace and security by the Charter, is discussing a particular issue, the General Assembly (Plenary) will cease its own deliberations and defer to the Security Council.

**Website:** <http://www.un.org/ga/>

### INTERNATIONAL COOPERATION AGAINST THE WORLD DRUG PROBLEM

The twentieth century began and ended with a robust global illegal drug market. By United Nations estimates, the illegal drug market now exceeds \$300 billion (US) each year, ranking it just behind the Swedish economy in value. Of greater concern is that the world drug problem plays a role in nearly every other major world issue confronted by the United Nations, from international security and trade to poverty, crime, and public health. The economic power of the drug trade combined with its transnational nature and quickly advancing technology for creating new synthetic drugs has presented substantial barriers in past efforts to control the problem.

However, efforts are beginning to show measurable success as the UN continues to seek out new avenues for international cooperation against the world drug problem.

Current international cooperation efforts are built around three key conventions established between 1961 and 1988. The Single Convention on Narcotic Drugs, passed in 1961 and amended in 1972, codified existing multinational treaties and, more importantly, expanded drug control efforts to include the cultivation of raw materials and established the original international list of controlled substances. This convention also established the International Narcotics Control Board (INCB). The 1971 Convention on Psychotropic Substances expanded international control efforts to include psychotropic drugs and established four schedules of



psychotropic and synthetic drugs based on their potential for abuse. Finally, the United Nations Convention Against Illicit Traffic of Narcotic Drugs and Psychotropic Substances of 1988 expanded drug control worked to include precursor chemicals and efforts to reduce money laundering activities which support drug operations.

In order to provide the support needed for enforcement of the conventions, several offices, departments, non-governmental organizations and commissions have been established over the years. The Commission on Narcotic Drugs (CND) was established by the Economic and Social Council in 1946. And predecessors of the International Narcotics Control Board date back to treaties promoted by the League of Nations. A/RES/6/104 (1991) established the United Nations Drug Control Programme (UNDCP) by combining the Division of Narcotic Drugs of the Secretariat, the secretariat of the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control. In 1997, the UNDCP merged with the Centre for International Crime Prevention to form the United Nations Office of Drugs and Crime (UNODC). Modern-day control efforts are dominated by the INCB and the UNODC.

Modern-day efforts to combat the world drug problem began in earnest with the 17th United Nations General Assembly Special Session (UNGASS) in 1990; this marked the first time a special session had been convened related to drug control and resulted in the first Political Declaration and Programme of Control (A/S - 17/13). The 20th UNGASS, held in 1998, resulted in a second political declaration which served as the basis for drug control efforts until 2009. In 2009, the high level segment of the CND released the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. The Plan of Action focuses on the three pillars of modern-day drug control efforts: reducing demand, reducing supply and countering money-laundering activities while promoting judicial cooperation. In 2010, the General Assembly (GA) also adopted the Political Declaration and Plan of Action, as adopted by the CND.

Along with passing the Political Declaration and Plan of Action, the General Assembly has promoted bilateral, regional and international cooperation for both intelligence sharing and cross-border operations. The GA has also addressed the need for sustainable crop control strategies and has encouraged States to simultaneously develop preventative alternative development programmes with these control strategies. Along these lines, the GA has recognized the extensive experience developing countries have in alternative development and has encouraged them to share best practices and lessons learned with States addressing illicit crop cultivation. The GA has also acknowledged the need for enhanced technical assistance at both the national and regional level and has encouraged the UNODC to increase its collaborative efforts with relevant regional organizations.

In future sessions, the General Assembly will need to address ongoing challenges around developing data collection and analysis systems including national and regional indicators for illicit substance production and abuse. Other challenges the GA will need to address include the need for greater regional cooperation, the integration of civil society into comprehensive drug control strategies, and the need for increased financial support for both the UNODC and the International Narcotics Control Board, as they both depend heavily on voluntary financial contributions from Member States.

The future of the world's drug problems are intertwined with other issues facing our world. UN Under-Secretary-General Antonio Costa recognized the connection between the drug trade and other issues when he noted "the drug industry threatens security and development, in countries already stricken by poverty, unemployment and the "HIV pandemic." The balanced approach will need to coordinate with other efforts across the globe such as HIV/AIDS prevention, economic development, financial organizations and more if the effort is to be truly successful. There has been some success — opium production is down 75% since the beginning of the 20th century and use rates appear to be flattening — but there remains work to be done.

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

- To what degree are individual Member States responsible for illegal drug activity within their own borders? How can the UN maintain the sovereignty of Member States while effectively combating the international drug problem?
- Is the three-prong balanced approach the most effective manner of confronting the issue?
- How should the UN handle the growing number of Member States that are choosing to decriminalize or legalize formerly illegal substances such as cannabis?
- How can the UN encourage cooperation between organizations which primarily fight drug problems and other organizations concerned with economic development, public health, poverty and other major world issues?

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## Additional Web Resources

[www.incb.org/incb/index.html](http://www.incb.org/incb/index.html) – International Narcotics Control Board

[www.unodc.org/unodc/index.html](http://www.unodc.org/unodc/index.html) – United Nations Office on Drugs and Crime

[www.interpol.int/default.asp](http://www.interpol.int/default.asp) – International Criminal Police Organization

## UNITED NATIONS GLOBAL PLAN OF ACTION AGAINST TRAFFICKING IN PERSONS

Well into the 21st century, human trafficking remains a significant challenge for the international community. The United Nations estimates that nearly 2.5 million people are victims of human trafficking annually. Every Member State is affected as a source of victims, a transit point, or a destination. An overwhelming number of victims are trafficked for the purpose of sexual exploitation and forced labor. Other forms of trafficking include bonded labor, domestic servitude, forced marriage and the exploitation of children.

In 2000, the United Nations adopted the Convention against Transnational Organized Crime (the Convention) and then in 2003 adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Trafficking Protocol). The Convention and the Trafficking Protocol were the first global legally binding documents that contained an agreed definition of trafficking in persons. The Convention and Protocol committed Member States to take efforts to prevent trafficking, protect victims of trafficking, and promote cooperation between states (together known as the Three Ps). The Trafficking Protocol calls on Member States to develop domestic legislation that criminalizes trafficking in persons, as well as having the intent to, being an accomplice of, or encouraging others to participate in trafficking of people.

Multiple actors across the UN system are engaged in efforts to prevent human trafficking and support victims of trafficking. In 2007, the United Nations Office of Drugs and Crime (UNODC), in conjunction with other agencies such as the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the United Nations Children's Fund (UNICEF), launched the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT). UN.GIFT works toward eradicating human trafficking by reducing the vulnerability of potential victims and the demand for exploitation. UN.GIFT encourages Member States to work with other governments and

also with those in business, media, academia and civil society to help foster relationships, share effective practices and create a general network of support between all of those involved. In 2008, UN.GIFT hosted the Vienna Forum to Fight Human Trafficking in which multiple sectors came together to discuss progress in meeting UN.GIFT goals. In 2009, the Blue Heart Campaign against Human Trafficking was created to build awareness of the fight against human trafficking.

Human trafficking has also remained high on the General Assembly agenda. In 2008, the GA hosted a thematic debate on human trafficking and in 2009 hosted a second interactive thematic dialogue on collective action to end human trafficking. This work culminated with the passage of the Global Plan of Action against Trafficking in Persons in 2010 to support the Convention against Transnational Organized Crime. The Global Plan of Action takes a human-rights and gender- and age- sensitive approach to address human trafficking. Under the Global Plan, the GA has committed to mainstreaming the issue into the UN's development, education, human rights, good governance, and natural disaster and post-conflict reconstruction policies. The Global Plan of Action will support the ongoing efforts under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and promotes coordination among Member States, the private sector, and civil society to meet these objectives.

The Global Plan of Action also created the United Nations Voluntary Trust Fund for Trafficking Victims (UNVFVT). The purpose of this trust is to provide humanitarian, legal and financial aid to victims. The Fund is to be managed by the UNODC and a board of Trustees appointed by the Secretary-General. The General Assembly has committed to assessing progress towards meeting the goals and objectives of the Global Plan of Action in 2013.

As of 2009, 132 States have ratified the Trafficking Protocol. While this represents a significant achievement there remain significant challenges to achieving full implementation of the Trafficking Protocol. While many Member States have passed national legislation, the institutional capacity to implement the Protocol varies considerably across States and enhanced technical assistance from the international community is needed. Globally, the conviction rate for trafficking in persons remains low. There are also additional challenges around the development of effective prevention and protection policies and labor exploitation is often not properly addressed in many national policies. Insufficient resource allocation is also a common at the national level. Finally, at the national, regional, and international levels there is a need for more accurate and timely data collection. To meet the goals outlined under the Global Plan of Action, the GA will need to address all of these issues in future sessions.

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

- What can the international community do to assist states in fulfilling the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children?
- What is needed from the international community to effectively implement the Global Plan of Action? How can Member States achieve this?
- How should governments approach working together to eradicate human trafficking?

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- A/65/209
- A/RES/65/190
- A/RES/64/293
- A/RES/64/178
- A/RES/63/194
- A/RES/63/156
- A/RES/61/180
- A/RES/58/137
- ECOSOC 2006/27
- 2005 World Summit Outcomes
- United Nations Convention against Transnational Organized Crime Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

## Additional Web Resources

- [www.humantrafficking.org/](http://www.humantrafficking.org/) - humantrafficking.org
- [www.unodc.org](http://www.unodc.org) - United Nations Office on Drugs and Crime
- [www.ungift.org/knowledgehub/](http://www.ungift.org/knowledgehub/) - UN.GIFT
- [www.polarisproject.org](http://www.polarisproject.org) - Polaris Project
- [www2.ohchr.org/english/issues/trafficking/index.htm](http://www2.ohchr.org/english/issues/trafficking/index.htm) - Special Rapporteur on trafficking in persons, especially in women and children





# THE GENERAL ASSEMBLY FIRST COMMITTEE: DISARMAMENT AND INTERNATIONAL SECURITY

## Purview of the Simulation

The General Assembly First Committee addresses the disarmament of conventional weapons, weapons of mass destruction and related international security questions. The First Committee makes recommendations on the regulations of these weapons as they relate to international peace and security. The First Committee

does not address legal issues surrounding weapons possession or control complex peace and security issues addressed by the Security Council. For more information concerning the purview of the UN's General Assembly as a whole, see page 24.

**Website:** <http://www.un.org/ga/first/index.shtml>

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

Advancements in Information and Communication Technology (ICT) present both opportunities and challenges. In the range of threats that states and the global community face, ICTs are unique: they are ubiquitous, and not inherently military in nature. Moreover, there are multiple ways in which ICTs can pose security threats. They can be used to damage information resources and infrastructures, and terrorist or criminal groups can use them to communicate, solicit funding, and could use ICTs as means to disrupt economic institutions. Also, national critical infrastructures are becoming increasingly reliant on ICTs, such that any disruption caused by malicious intent could pose serious consequences for national security and public safety.

ICTs are often owned and operated by the private sector, and their potential to create harm is largely based on users' motives. They have both civilian and military uses, especially for maintaining international stability and security, and ICT maintenance is vital for the development of global and national economies. The United Nations is working closely with Member States and the international community to encourage collaboration on advancing the security and effectiveness of this technology. There is also disagreement at the international level about what constitutes acceptable use of ICTs by states; that is, to what extent can and should states develop ICTs for military and intelligence purposes?

While ICTs are a relatively recent innovation, the United Nations has been engaged in developing a common framework of the role of ICTs in the global community and in assessing the potential threats that they pose to peace and security. The World Summit on the Information Society (WSIS) took place, in 2003 (first phase) and 2005 (second phase). This was the first high-level UN meeting to specifically address communication technology. The WSIS products, the Geneva Declaration of Principles and the Tunis Agenda, both took a broad view of information technology within a global context addressing its role in development, capacity-building in the developing world, and a financing mechanism. Action Line C5 in the Declaration of Principles covers the need for building confidence and enhancing the security of ICTs. The International Telecommunication Union (ITU) is charged with monitoring progress on the WSIS Plan of Action and WSIS plus 5 goals.

In May 2007, the ITU established the Global Cybercrime Agenda (GCA). The GCA established a High-Level Experts Group (HLEG) to provide the ITU with recommendations. In their Global Strategic Report, the group recommended that legal measures, technical and procedural measures, organizational structures, capacity building, and international cooperation all needed further attention from the international community.

The General Assembly (GA) has also been actively engaged in monitoring ICT developments and their impact on international security. The GA has called on Member States to engage in multilateral discussions of current and potential threats to telecommunication networks. The GA has made ongoing requests for Member States to inform the Secretary-General of their progress in strengthening information security and opportunities for the international community to strengthen information security at the global level. Also the General Assembly requested that the Secretary-General convene a Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security.

The Group of Experts outlined potential threats ICTs could pose to the global community, such as terrorist organizations using ICTs to advance their networks. The most recent report to the GA from the Group of Experts in 2010 provided a list of recommendations to the General Assembly that included (1) engaging in dialogue with Member States on acceptable norms for state use of ICT, (2) supporting confidence-building, stability and risk reduction measures for State use of ICTs, (3) facilitating information exchange on national, regional, and international security strategies, and (4) supporting capacity-building in less developed countries.

Information and Communication Technology will continue to play an important role for both economic and social development. Solutions to help fund and develop the efficiency and security of their ICTs are crucial for peace and security. The UN will continue to play a key role in facilitating cooperation among Member States against dangers posed to ICT systems and infrastructure. The General Assembly has requested that the Secretary-General establish a future group of governmental experts in 2012 to continue researching solutions on this topic. Until then, the standards on the use for ICTs and measures to foster strategic security-building are likely to remain on the GA agenda.

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

- How can states and the international community balance to the need for need for enhanced security for ICTs while at the same time capitalizing on their potential benefits to social and economic development?
- How do the challenges of ensuring the security of ICTs differ in developing countries vs. developed countries?
- What role should the private sector play in ensuring the security of telecommunication networks?

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A/RES/65/141  
A/RES/64/25  
A/RES/64/211  
A/RES/63/37  
A/RES/62/17

A/RES/60/45

WSIS-03/GENEVA/DOC/0009 (rev. 1)

WSIS-05/TUNIS/DOC/6 (rev. 1)

## Additional Web Resources

[www.itu.int](http://www.itu.int) – International Telecommunication Union  
[www.ict4peace.org](http://www.ict4peace.org) – ICT 4 Peace Foundation  
[www.unidr.org](http://www.unidr.org) – United Nations Institute for Disarmament Research  
[www.un-gaid.org](http://www.un-gaid.org) – Global Alliance for ICT and Development  
[www.interpol.int](http://www.interpol.int) – International Criminal Police Organization

## CONSOLIDATION OF PEACE THROUGH PRACTICAL DISARMAMENT MEASURES

Disarmament remains one of the United Nations primary objectives. Practical disarmament measures are means to link weapons control, particularly small arms control, to peacekeeping and post-conflict settlement with appropriate assistance from the United Nations system. The work undertaken on practical disarmament measures and small arms control represent integrated and mutually reinforcing efforts to achieve lasting disarmament.

Consolidation of Peace through Practical Disarmament Measures first appeared on the General Assembly (GA) agenda in 1996. The following year, the GA established the Group of Interested States (GIS) to support the GA's goals on practical disarmament. The goal of the GIS is to facilitate ongoing practical disarmament efforts by building on efforts already in progress and by working at both the international level and directly with States in the midst of post-conflict disarmament and reconstruction. By establishing the GIS, the General Assembly acknowledged the importance of small arms control, demining, demobilization, and reintegration of former combatants in post-conflict settings and hoped to provide a framework to provide concrete assistance to States.

The GIS continues to meet on and report to the GA on a regular basis. The meetings are open to all States, interested UN partners and non-governmental organizations. Recent agenda items have included a small arms trade treaty, briefings for the GA First Committee, and the International Small Arms Control Standards.

Related to practical disarmament, the General Assembly passed the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001. The Programme of Action also included practical solutions for national legislation and controls for the collection and destruction of illegal weapons and measures to assist states in preventing the illegal transfer of small arms. Since its adoption, the GA has hosted biennial meetings of States to consider the Implementation of the Programme of Action. The most recent biennial meeting was held in 2010 and focused on national, regional and global implementation strategies for the Programme of Action; the main topics of discussion at the fourth biennial meeting were four themes: border management, international cooperation and assistance, the International Tracing Instrument and follow-up mechanisms within the Programme of Action. The Fourth Biennial Meeting final report stressed the importance regional mechanisms to support the implementation of the Programme of Action.

The GA also adopted the International Tracing Instrument (ITI) in 2005 which is an additional effort to address international small arms control. Under the ITI, Member States agreed to the marking, record-keeping and tracing objectives in the Programme of Action. The Programme of Action and ITI are significant milestones in international efforts to control small arms, there are remaining challenges with implementation. Specifically, the Programme of Action does not offer a specific framework to provide international or regional assistance nor is it a legally binding instrument. Additionally, many Member States lack the financial and technical resources necessary for small arms control. There is also recognized need for better coordination at the regional level to enhance law enforcement efforts, marking and tracing efforts, record-keeping, and border protection.

At the international level, the General Assembly has stressed the need to include United Nations-mandated peacekeeping missions, when appropriate, in practical disarmament measures for small arms. More recently, the GA has begun to consider practical disarmament measures, assistance to States for curbing the illicit traffic in small arms and light weapons, and the illicit trade in small arms and light weapons in a more holistic manner. At the GA's request, the Secretary-General submitted a report in the 65th session that addressed all three topics. Moving forward, the General Assembly will continue to support the work of the Group of Interested States and also stress the importance of evaluating assistance provided to states and explore collaborative processes to support small arms control at both the national and international level.

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?
- 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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## Additional Web Resources

[www.un.org/disarmament.org/](http://www.un.org/disarmament.org/) - United Nations Office for Disarmament Affairs

[www.poa-iss.org/MGE/](http://www.poa-iss.org/MGE/) - Open Ended Meeting of Governmental Experts

[disarm.igc.org/](http://disarm.igc.org/) - NGO Committee on Disarmament, Peace, and Security

[www.unidir.org/html/en/home.html](http://www.unidir.org/html/en/home.html) - United Nations Institute for Disarmament Research





# THE GENERAL ASSEMBLY SECOND COMMITTEE: ECONOMIC AND FINANCIAL

## Purview of the Simulation

The Second Committee makes recommendations on means to improve the economic development of Member States and maintain the stability of the international financial and trade network.

The economic issues considered by the Second Committee are distinguished from those considered by the Fifth Committee in that this Committee deals solely with financing the economic

assistance to Member States, whereas the Fifth Committee address the budgetary issues within the UN System. The Second Committee does not address social issues that affect development; such issues are considered by the Third Committee. For more information concerning the purview of the UN's General Assembly as a whole, see page 24.

**Website:** <http://www.un.org/ga/second/index.shtml>

## ROLE OF MICROCREDIT AND MICROFINANCE IN THE ERADICATION OF POVERTY

In recent years, the initiatives of microcredit and microfinance have become inextricably linked to eradicating poverty worldwide. The first Millennium Development Goal (MDG) is to eradicate extreme poverty and hunger; it is largely assumed that the achievement of all the MDGs is dependent on success in fighting poverty. The UN has always been committed to the goal of eradicating poverty; however, it was not until the 1980s that microcredit and microfinance began to gain serious international attention and consideration as an effective measure for combating extreme poverty. The field of microfinance has since grown to include over 3,500 institutions worldwide serving over 155 million people.

In understanding how microcredit and microfinance enable the world's poor, it is essential to differentiate the two terms. Microfinance is an overarching, market-based strategy to fight poverty that includes the provision of a range of financial services such as microcredit, microinsurance, microsavings and micropensions. Microcredit, or small loans aimed at poor and low-income individuals, is the main means of microfinance institutions (MFIs) to promote entrepreneurship and self-employment. A typical microloan is provided at lower-than-normal interest rates, given to an individual or group of individuals. These loans not only enable individuals to prosper but also promote financial education in communities that lack the resources to become financially stable.

The UN General Assembly began to incorporate microcredit and microfinance as a strategies to fight poverty with the launch of the Microcredit Summit in 1997. Observing the heightened success of MFIs such as the Grameen Bank, the UN General Assembly resolved to encourage Member States to incorporate microfinance into their development strategies. In a 1998 resolution, it declared that 2005 would be the International Year of Microcredit. With such increased awareness of microcredit and microfinance efforts, it became clear that financial inclusion for all had become a major priority for developed and developing nations addressing poverty. The World Bank (WB) became heavily involved in the availability of microloans, by requiring it to be addressed in Poverty Reduction Strategy Papers (PRSPs), which the WB requires it to be eligible for debt redemption through the Heavily Indebted Poor Countries (HIPC) Initiative. The World Bank, through the International Finance Corporation (IFC) and the International Monetary Fund (IMF) now provide resources

for microfinance as well as supporting effective implementation of microfinance initiatives at the country level.

A key development since the International Year of Microcredit (2005) is the increased focus on inclusive finance to describe the goals behind microfinance through a broader scope. In a 2009 resolution, the General Assembly outlined the need for more inclusive financial sectors and encouraged states to adopt coherent financial regulatory frameworks. The Secretary-General responded that access to credit alone is insufficient for poverty eradication and that states must take an active role in supporting microfinance initiatives. Policy recommendations include promoting financial literacy, investing in infrastructure and technology, regulation of interest rates and the ever-increasing need for compiling market data to measure effectiveness.

In 2006, the Microcredit Summit Campaign was re-launched to conclude in 2015 and coincide with the MDG timeline. Although the microcredit industry has boomed, the international community has seen little reduction in poverty. To date, this is insufficient evidence to suggest that microcredit reduces poverty levels in the long term. This has caused some states to call for increased regulation and others to turn away from microcredit completely.

Although the fight against poverty has seen setbacks, there remains strong potential of microlending and microfinance services to positively impact the world's poor. Currently, over 70% of microfinance clients are women. However, an important question surrounds the debate concerning for-profit and non-profit MFIs and whether the international community wishes to move in the direction of involving large commercial banks with larger resources. Furthermore, the UN Commission on International Trade Law has outlined legal and regulatory issues surrounding microfinance. In addition, there is continued concern over including the world's poorest in microfinance initiatives.

The UN General Assembly continues to use microcredit and microfinance as a tool to combat poverty. However, actualizing this potential has proven to be more complex. Basic financial services are a necessity to enable poor populations. Challenges the GA will need to address in the future include outreach to the world's poor, increasing the available resources for microfinance, and developing regulatory frameworks. One possible future action includes turning to the World Bank or private commercial banks for increased investment in microfinance. A coordinated international regulatory framework for microfinance would also increase the effectiveness of any funds procured. Member States have been encouraged to find an inclusive

financial system that emphasizes savings and insurance along with borrowing; without these improvements little progress can be made in eradicating poverty will continue sluggishly. Although the international community faces many challenges in eliminating poverty, microcredit and microfinance still have the potential to assist the world's poor.

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

- What role should the international community take in promoting microcredit and microfinance?
- What measures are necessary to evaluate the impact of microcredit and microfinance at the national, regional, and international level?
- What roles do large commercial and for-profit banks play in terms of eradicating poverty? What potential do these banks have to change the poverty levels?
- What would be the impact/benefit of an international regulatory framework for microcredit and microfinance?

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A/RES/58/221  
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United Nations Millennium Declaration

## Additional Web Resources

[www.grameen-info.org](http://www.grameen-info.org) - The Grameen Bank  
[www.ifc.org/microfinance](http://www.ifc.org/microfinance) - International Finance Corporation  
[www.imf.org](http://www.imf.org) - The International Monetary Fund  
[www.microcreditsummit.org](http://www.microcreditsummit.org) - The Microcredit Summit Campaign  
[www.worldbank.org](http://www.worldbank.org) - The World Bank

## PROMOTION OF NEW AND RENEWABLE SOURCES OF ENERGY

Energy policy is among the most crucial issues facing the world today. No Member State is unaffected. For developed nations, alternatives to fossil fuels are the route to energy independence and security. In countries that are still developing, new and renewable energy sources hold the promise of a higher standard of living for the population through increased access to electricity, particularly in rural areas where it would be prohibitively difficult to extend the power grid but possible to deliver power through freestanding sustainable energy projects. All nations can benefit from the economic development afforded by new energy projects, whether in the research or implementation stages. A final, overarching goal is mitigation of the effects of climate change.

Renewable energy comes in a myriad of forms, among them solar, wind, hydro, geothermal, tidal, and biomass. This diversity is an invitation to tailor sustainable energy solutions to local situations, considering the resources available in the area and the energy reliability and quantity levels that are acceptable to the population. The energy policies of nations and their subdivisions can have a great effect on the feasibility of energy alternatives within their jurisdiction, and has been an area where the UN has offered guidance in the past. The General Assembly (GA) Second Committee has addressed new and renewable energy as a means for economic development for Member States and has urged Member States to take advantage of the benefits sustainable energy has to offer to advance development.

There are several major UN agreements with sustainable development as a focus. In 1992, the Rio Declaration on Environment and Development and its companion document, Agenda 21, addressed the responsibility of all Member States to develop and operate in a sustainable manner and produced agreements for cooperation in this area. Ten years later, the Johannesburg Plan of Implementation renewed and updated the commitments of Member States to sustainability objectives. Goal 7 of the Millennium Development Goals is to ensure environmental sustainability. The Kyoto Protocol obligates its signatories to take action to cut greenhouse gas emissions and combat climate change. The development and implementation of alternative energy sources is necessary for the international community to fulfill its many sustainability obligations.

The Second Committee reports to the General Assembly on the promotion of new and renewable sources of energy every two years. The next report is due in 2011. The most recent of these reports, A/64/420, was adopted in December 2009. It emphasizes the potential of sustainable energy sources to advance development through expanded access to modern energy for the world's population, but also notes the high cost and level of technological advancement of many new energy sources, urging technology transfer to developing nations.



Other UN agencies are involved in promoting sustainable energy development. The United Nations Industrial Development Organization (UNIDO) has recently established a trust fund for the promotion and implementation of renewable energy projects in developing countries. The Economic and Social Commission for Asia and the Pacific (ESCAP) supervises the Asian and Pacific Centre for the Transfer of Technology (APCTT), which has among its responsibilities helping developing states to acquire the technology necessary to utilize sustainable energy, whether through contact with developed nations or through South-South cooperation among themselves. The Economic Commission for Europe (ECE) has recently addressed renewable energy sources for economic development and rural electrification in Eastern European countries. The African Ministerial Conference on the Environment (AMCEN) notes that most rural African populations are currently using renewable energy in the form of woody biomass, which is undesirable due to the greenhouse gases released during burning. As in so much of the developing world, modernization of energy sources with limited funding and infrastructure available is a priority in Africa.

Despite their obvious appeal in mitigating climate change and an indispensable ingredient for sustainable development, renewable energy sources face many obstacles to widespread use. Foremost on the list is the intermittent and unreliable nature of many renewable energy schemes. Solar power cannot be generated at night, and wind turbines will not turn on a calm day, yet electricity is consumed seconds after it is produced and there is no practically feasible way to store excess generated energy for a community's later needs. For large portions of the world's population, even a periodic supply of energy could effect a significant change in the standard of living. For a truly modern, secure energy supply, however, a mixture of clean energy sources is critical.

Policy barriers to alternative forms of energy are a natural area for UN influence to promote sustainability. Many nations currently have subsidies in place for traditional, fossil fuel based energy, which artificially lower its cost. The gap in cost between renewable and traditional energy sources would close significantly if the subsidies were removed, making sustainable energy projects more commercially viable. However, it is also important to consider the reasons the subsidies came into existence: to increase the affordability of energy. Any efforts to reform energy pricing should take care to ensure the poor are not priced out of the energy they need to support themselves.

The General Assembly has declared 2012 as the International Year of Sustainable Energy for All. The campaign will focus on finding long-term solutions to current issues by raising awareness on energy poverty, establishing world-wide access to clean energy and combining public-private partnerships. The General Assembly will have to address accountability and performance measurement in order to track and evaluate the commitment of the international community. Balancing the challenges involved in developing and implementing renewable energy sources in ways that are appropriate for each region is the task to which Member States must rise.

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

- How can the world use the development and implementation of sustainable energy sources as an engine for economic development?

- What is the role of public-private partnerships in developing renewable energy sources? What can the international community do to promote these partnerships?
- What are potential solutions to help developing countries offset the high investments of renewable energy sources?

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IDB.39/11-PBC.27/11  
E/ESCAP/67/5  
ECE/ENERGY/WP.4/2011/5  
Rio Declaration on Environment and Development & Agenda 21  
Johannesburg Plan of Implementation  
Kyoto Protocol  
United Nations Millennium Declaration

## Additional Web Resources

[www.irena.org](http://www.irena.org) - International Renewable Energy Agency  
[www.undp.org/energy](http://www.undp.org/energy) - United Nations Development Program:  
Environment and Energy  
[esa.un.org/un-energy](http://esa.un.org/un-energy) - UN-Energy





# THE GENERAL ASSEMBLY THIRD COMMITTEE: SOCIAL, HUMANITARIAN, AND CULTURAL

## Purview of the Simulation

While the Committee's areas of concern and its work often overlap with other United Nations organs, the Third Committee focuses its discussions on social, humanitarian and cultural concerns that arise in the General Assembly. The Third Committee discusses issues with, recognizes reports of, and submits recommendations to the

General Assembly in coordination with other United Nations organs, such as the Economic and Social Council (ECOSOC) and the United Nations High Commissioner for Refugees (UNHCR). For more information concerning the purview of the UN's General Assembly as a whole, see page 24.

**Website:** <http://www.un.org/ga/third/index.shtml>

## THE RIGHT TO FOOD

For some countries, food shortages are an agricultural and development issue. For all, however, hunger is a basic affront to human dignity that should be addressed as a human rights issue. The United Nations defines the right to food as "the right to have regular, permanent and free access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear." This definition defines the right to food as both an individual right and a collective responsibility and has galvanized the world to address hunger. International efforts to protect the right to food have generated a long and complex debate over how the international community can solve the problem. This debate has touched on climate change, intellectual property rights, free trade and international obligations to provide development assistance.

The United Nations has a long history in addressing the right to food. In 1976, at the World Food Conference, governments pledged to end hunger within a decade. Over twenty years later, the international community came together once again at the 1996 World Food Summit. The outcome of the summit, the Rome Declaration, which was adopted by 112 heads of state, pledged to halve the number of persons in the world who suffer from hunger by 2015. With the adoption of the Millennium Declaration in 2000, the international community again committed to reducing the number of people who suffer from hunger by 2015. In 2000, the Commission on Human Rights created a Special Rapporteur on the Right to Food, who monitors and reports on situations detrimental to food security. All of these issues have helped to elevate the concept of food security on the global agenda. Despite this ongoing commitment, there are major issues that still need to be addressed, as global food prices continue to climb. Major spikes in global food prices occurred in 2008 and 2011, contributing to dramatically increasing hunger around the world.

This problem has prompted more recent action from the United Nations. In response to soaring food prices in 2008, the Secretary-General convened a High-Level Task Force on the Global Food Security Crisis. In partnership with the World Bank, the International Monetary Fund, the Organization for Economic Cooperation and Development, and the World Trade Organization, the Task Force aims to support a comprehensive and unified response to the global food crisis. The Task Force produced the Comprehensive Framework

for Action (CFA). The CFA outlines a plan of action that includes activities to meet immediate needs and longer term actions to address structural factors, such as investment in agriculture in developing countries, access to land and water, post-harvest technologies, and sustainability, that all contribute to food insecurity.

Following the formation of the High-Level Task Force, the General Assembly hosted a thematic dialogue in 2009 on the global food crisis and the right to food which was a high-level meeting of human rights specialists, economists, and agroecologists. The GA re-affirmed that a rights-based approach should guide efforts to promote food security. Under this type of framework, the GA acknowledged that strategies that only focus only on lowering food prices to eliminate hunger would not be sufficient. Rather, social support schemes to ensure vulnerable populations were adequately protected would need to be developed along with reforming global agricultural policy. At the Dialogue, the General Assembly acknowledged the complexity of the current crisis and that factors such as the volatility of oil prices, climate change and inequities in the trading system have all contributed to the current food crisis. These factors, along with improvements in accountability and the need for good governance, should be taken into consideration when designing agricultural reform.

Recently, two new issues have entered discussions on the right to food: the effects of climate change and the concept on food sovereignty. Discussion on the effects of climate change on food security and the right to food has been limited in the GA to date, however the Food and Agricultural Organization (FAO) has begun to examine the topic. In March 2011, the FAO submitted a brief to the UN Framework Convention on Climate Change (UNFCCC) Secretariat on the effects of climate change on food security. The brief outlined potential steps that the UN and its Member States can take, including promoting the development of new, change-resilient staple crops.

On the issue of food sovereignty, there is support for the democratic control of agricultural policy and food production networks, particularly for farmers themselves. The idea has gained significant support from developing countries, as well as the UN Special Rapporteur on the Right to Food. The costs of transforming agricultural systems are high, the potential returns include greater sustainability and healthier ecosystems.

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

- How does promotion of the right to food as a basic human right influence policies to address hunger and undernourishment?
- How can Member States promote the development of climate-change-resistant crops without severely damaging biodiversity?
- What can Member States do to emphasize the importance of local and national economics as a way to support food sovereignty?

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A/HRC/16/49  
A/HRC/RES/16/27  
A/HRC/RES/13/4  
E/C.12/1999/5 – General Comment 12, Committee on Economic, Social and Cultural Rights  
Universal Declaration of Human Rights  
International Covenant on Economic, Social and Cultural Rights  
Rome Declaration on World Food Security

## Additional Web Resources

- [www.foodsovereignty.org/](http://www.foodsovereignty.org/) - International Planning Committee for Food Sovereignty  
<http://www.un.org/issues/food/taskforce/index.shtml> – High Level Task Force on the Global Food Crisis  
<http://www.fao.org/righttofood/> - FAO on the Right to Food  
<http://www2.ohchr.org/english/issues/food/index.htm> - Special Rapporteur on the right to food

## PROTECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS WHILE COUNTERING TERRORISM

Terrorism is not a new phenomenon. Protecting human life and security within the context of terrorism presents a two-fold, and potentially contradictory, challenge: first, States have an obligation to ensure the security and well-being of their citizens by providing protection from terrorist threats, and second, they must enact counter-terrorism measures that do not violate human rights or the rule of law.

One of the first and most concrete endorsements from Member States of the significance on protecting human rights while countering terrorism came in 2005 with the creation of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The Special Rapporteur, who operates under the Human Rights Council, is charged with promoting best practices and investigating allegations of human rights violations that occur during the course of counter-terrorism actions.

In 2006, the General Assembly adopted the Global Counter-Terrorism Strategy. The Strategy was the first international agreement on a common approach and plan of action to prevent and respond to global terrorism threats. The Fourth Pillar of the Global Strategy addresses measures intended to ensure that respect for human rights and the rule of law remain the cornerstone of global counter-terrorism strategies. Specifically, it calls upon member states to Member States to implement strategies that are not in conflict with their obligations to international human rights law, refugee law, or international humanitarian law. By committing to the Global Counter-Terrorism Strategy, Member States recognized that “effective counter-terrorism measures and the protection of human rights were not conflicting goals but complementary and mutually reinforcing aims.”

The Fourth Pillar of Action of the Global Strategy also calls upon Member States to develop criminal justice systems guided by the rule of law, so the fundamental freedoms and human rights of persons being extradited or prosecuted for terrorist acts are protected. Finally, the Fourth Pillar commits to providing technical assistance to Member states through the United Nations Office of Drugs and Crime.

The Counter-Terrorism Implementation Task Force created a Working Group on Protecting Human Rights While Countering Terrorism. The Working Group supports Member States' efforts to promote and protect human rights in the context of counter-terrorism. To that end, the Working Group hosted an expert seminar on the effects of terrorism and counter-terrorism measures on the enjoyment of economic, social and cultural rights. The Working Group is

developing a series of ten Basic Human Rights Reference Guides, that have guidelines for Member States on how to protect human rights in the context of counter-terrorism activities.

While there is broad general agreement on the need for protecting human rights while countering terrorism, there is still debate over specific standards Member States should be expected to uphold. For example, some rights, such as the protection against torture, are non-derogable, while others like freedom of expression, can be suspended by states for fixed periods of time to deal with unrest and potentially destabilizing events. Some states have claimed that combating terrorism is such a circumstance and have sought to restrict speech and other rights.

Despite these challenges, the General Assembly and the United Nations remain engaged in the topic and committed to supporting Member States in their efforts to ensure human rights are protected as they implement counter-terrorism measures. The General Assembly continues the work on the draft comprehensive convention on international terrorism. The convention will aid in reducing the credibility gap in the field of human rights. However, the lack of a coherent human rights strategy remains one of the top challenges of Member States.

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

- What restrictions of rights may be justifiable to combat terrorism and under what circumstances?
- What can Member States do to ensure that counter terrorism is more compatible with fundamental human rights?
- How can the reinforcement of human rights support the aims of countering terrorism?

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A/RES/65/217

A/RES/64/170

A/RES/64/168

A/RES/60/158

A/RES/56/160

A/RES/48/122

S/RES/1373

S/RES/1624

A/HRC/13/37 and Add.1

International Convention for the Suppression of Terrorist Bombings

International Covenant on Civil and Political Rights

International Covenant on Economic, Social and Cultural Rights

Vienna Declaration and Programme of Action

Universal Declaration of Human Rights

## Additional Web Resources

<http://www.amnesty.org/en/library/asset/IO40/008/2011/en/9b5494ce-e049-45d0-8c91-788f7c24b89a/ior400082011en.pdf>

<http://www.hrw.org/en/news/2005/04/17/protecting-human-rights-while-countering-terrorism>

[www.un.org/en/sc/ctc/rights.html](http://www.un.org/en/sc/ctc/rights.html) - Protecting Human Rights While Countering Terrorism, UN Security Council Counter-Terrorism Committee

<http://legalift.wordpress.com/> - Legal Issues in the Fight Against Terrorism

<http://www2.ohchr.org/english/issues/terrorism/rapporteur/reports.htm> - Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism





# THE GENERAL ASSEMBLY SIXTH COMMITTEE: LEGAL

## Purview of the Simulation

The General Assembly Sixth Committee addresses issues relating to international law. The Committee not only drafts new international law, but also offers interpretations of existing international law as well as recommendations for members to implement international regulations through national law. The Committee also considers legal issues which affect the United Nations Secretariat and operations. The Sixth Committee does not resolve legal disputes; that is the responsibility of the International Court of Justice. For more information concerning the purview of the UN's General Assembly as a whole, see page 24.

**Please note:** When considering the reports of sub-committees that may change the UN Charter or other legal documents, the Sixth

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

**Website:** <http://www.un.org/ga/sixth/index.shtml>

## CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION, SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND REPRESENTATIVES

Diplomacy is the activity of preventing and solving conflicts by representatives of two or more states with expectations toward peaceful agreements; it is the preferred mechanism through which governments and international bodies communicate and conduct business. Thus, keeping diplomatic channels between countries clear and secure is of utmost importance, which requires guaranteeing the security, protection, and safety of diplomats, consular representatives and related facilities. There are several conventions in place to ensure the protection of such sites and personnel; however, these protections are not always realized on the ground due to some practical difficulties of defending them and because embassies and consular missions are targeted because of their symbolic weight.

Based on mutual consent between the sending state and hosting state, diplomatic missions and their staffs are granted immunities from the hosting state's laws and taxes. Hosting states are also charged with the responsibility to protect these sites; however, the protection and safety of diplomatic missions has not always been assured. Throughout the 1960s and 1970s, international organizations and groups of states worked to codify international law on the issue. The Vienna Conventions of 1961 and 1963 established a baseline for diplomatic relations and legal protections for those who were responsible for executing their government's interests. These established that such persons were immune from search, requisitions, and legal attachment or execution by the host state and that the host state had the duty to protect diplomatic missions' personnel, premises, and materials. When, during the Cold War, attacks on diplomatic officials and embassies and consular buildings increased, the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, established a juridical protocol for handling violations of the principles of diplomatic protection. The 1973 Convention asked that host countries cooperate fully in the apprehension of criminal elements involved in hostilities

against diplomatic persons, and in the acquisition of evidence to that end.

In 1980, the General Assembly passed resolution 35/168 which sought to ameliorate these incidents and create a new agreement between states that would uphold the integrity of diplomatic immunity. In 1987, A/RES/42/154 added that all states report to the Secretary-General and make use of that office for peaceful settlement of any disputes that may arise. In addition, resolution 49/49, proposed in 1994, sought to further protection for diplomats and expanded it substantially, so as to protect more individuals in varying degrees of diplomatic service.

Though many steps have been taken to create a legal framework that allowed diplomats to work with impunity, there were complaints that diplomatic immunity was being abused, especially in the case of physical altercations and higher-level crimes. The conventional immunity guaranteed for diplomatic representatives—especially the exceptions written into the 1961 Convention and how to apply them—are still the subject of some debate. Additionally, per the 1987 resolution, reporting such incidents to the Secretary-General has been seen as a way to further cooperation between states and bring offenders to justice.

Recent resolutions have also emphasized the importance of diplomats and consular officials respecting the laws of host nations and working to ensure that diplomatic missions maintain the highest standards of integrity by ensuring all work carried out under the provisions of diplomatic protection are compatible with international law and customs.

The more important issues, however, in current discussions revolve around the ongoing crises in the Middle East and Africa and around the question of non-state actors and protections during civil wars. These crises have vaulted this particular agenda item back onto the Sixth Committee's agenda after a period of relative quiet. In both cases, successful protection of diplomatic missions is likely to require extensive information and intelligence sharing between countries as the international community works to prevent terrorist attacks and the targeting of foreign embassies as a way to undermine

governmental legitimacy and efficacy. Though agreeable in principle, information and intelligence sharing is often difficult in practice.

The General Assembly might consider measures and mechanisms to improve such cooperation and information sharing. The UN has also encouraged states to engage in close cooperation on practical measures to increase the security and safety of diplomatic and consular missions. What, exactly, these practical measures might entail could be a subject for discussion.

Finally, an important point for discussion will be how the international community could enhance the protection of diplomatic missions and international organizations in fragile or failed states, where resources and priorities are limited and already stretched. Member States will need to discuss the appropriate international response when states are consistently unable to assure the protection of diplomatic missions, or when states appear to be targeting (or supporting attacks on) foreign missions in other countries.

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

- How are the protection, safety and security of diplomatic personnel assured when non-state actors are involved?
- What assurances can be given by the state against hostilities from non-state actors? Can non-state actors be held accountable for diplomatic violations?
- How can the protection, safety and security of diplomatic personnel be assured and structured in the event of civil war?
- What recourse might states have if a host nation is unwilling or unable to provide appropriate protection for diplomatic and consular missions?

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A/65/792  
A/RES/49/49  
A/RES/53/97  
A/RES/55/149  
A/RES/61/31  
A/RES/63/126  
A/RES/65/30

Vienna Convention on Diplomatic Relations 1961

Vienna Convention on Consular Relations 1963

1973 Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents

## Additional Web Resources

[www.un.org/en/ga/sixth/65/DiploProtect.shtml](http://www.un.org/en/ga/sixth/65/DiploProtect.shtml) – GA 6th Committee – Diplomatic Protection

[www.un.org/en/ga/sixth/65/ProtSecSaf.shtml](http://www.un.org/en/ga/sixth/65/ProtSecSaf.shtml) – GA 6th Committee – Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives.

## INTERNATIONAL LIABILITY FOR INJURIOUS CONSEQUENCES ARISING OUT OF ACTS NOT PROHIBITED BY INTERNATIONAL LAW

In order to address compensation when states or other actors are injured through the hazardous activities of another actor across an international border, the UN General Assembly adopted resolution 51/160. Hazardous activities are defined as any activity that involves a risk of causing significant harm. The goal has been to hold states accountable for their activities and to set up avenues for compensation of victims of these hazardous activities.

Due to the challenging nature and complexity of the issue, the topic has been divided into two sub-topics: prevention of transboundary damage from hazardous activities, and international liability in case of loss from transboundary harm arising out of hazardous activities. In working on this issue, the UN General Assembly Sixth Committee has worked closely with the International Law Commission.

In 2001, the Commission drafted the basis for a future Convention to address this issue. It recommended that the GA take up this basis and expand upon it. The Commission continued to work on this issue, addressing the two subtopics in subsequent sessions. It drafted very specific recommendations, which the Sixth Committee noted with appreciation in its sixty-second session and asked Member States to consider as a starting point for future action. It also invited Member States' continuing comments. The GA similarly recommended Nations' attention and welcomed comments, but was careful to point out that doing so would not prejudice any future action around this topic.

The Sixth Committee addressed this topic again in its sixty-fifth session. It acknowledged the work of the Commission and recognized that the principles drafted by the Commission were already being used by States and judicial bodies as authoritative guidance in these issues. The Committee also noted that some Member States had already taken to making bilateral agreements outside the UN process.

While some Member States focused on the substance of the previously drafted convention, most were more concerned with the form of the draft articles and draft resolutions. States disagreed on whether there was a need for a Convention, or whether the instructive, but not binding, principles and articles were all the action needed. States were divided on the best course forward: some called for a wait-and-see approach, while others called for going ahead with the Convention-drafting process, and still others somewhere in between. Ultimately, the Committee passed a resolution without a vote that invited further comments on the topic, especially relating to any practical application of the Commission's draft articles and principles. It also requested the Secretary-General to report on decisions of international judicial bodies that made use of the articles and principles.

In the future, Member States need to decide what the appropriate role for the principles and articles drafted by the Commission should be. A Convention would allow countries to have another opportunity for input into the accountability of these actors. The Convention drafting process can be long and drawn out, which is something countries opposed to this type of regulation may consider a positive. Drawing the process out allows countries to continue to be at the bargaining table without being bound by the Convention that may result. Conversely, a Convention may allow nations to codify tenets that are already gaining wide acceptance in the international community. Codification would allow uniform interpretation and for clear recourse if violations occur. Additionally, the body may want to examine industry-specific agreements or guidelines rather than a general convention. Focusing on a particular industry may make it easier to achieve an agreement among Member States, and may allow stronger enforcement language than if the Convention focuses on hazardous activities generally.

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

- If a Convention is not drafted, how can Member States hold actors outside their borders accountable for damage incurred within their territory? Is this sufficient?
- Member States have started to make agreements amongst themselves regarding this topic. Is this an area that is better handled through bilateral agreements or a broader treaty?
- What should the role be of drafted but not passed Principles/Conventions in international law? Should these be seen as binding and instructive by courts?

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A/65/469  
A/RES/61/36  
A/RES/62/68  
A/RES/65/28  
A/C.6/65/SR.17

## Additional Web Resources

- [untreaty.un.org/ilc/summaries/9.htm](http://untreaty.un.org/ilc/summaries/9.htm) - International Liability for Injurious Consequences arising out of Acts not Prohibited by International
- [www.un.org/en/ga/sixth/65/TransboundHarm.shtml](http://www.un.org/en/ga/sixth/65/TransboundHarm.shtml) - Consideration of prevention of transboundary harm from hazardous activities and allocation of loss in the case of such harm (Agenda item 81)





## CHAPTER SIX

# THE ECONOMIC AND SOCIAL COUNCIL (ECOSOC)

### Members of the Economic and Social Council:

Argentina	Guatemala	Philippines
Australia	Guinea-Bissau	Qatar
Bahamas	Hungary	Republic of Korea
Bangladesh	India	Russian Federation
Belgium	Iraq	Rwanda
Cameroon	Italy	Saint Kitts & Nevis
Canada	Japan	Saudi Arabia
Chile	Latvia	Senegal
China	Malawi	Slovakia
Comoros	Malta	Spain
Cote d'Ivoire	Mauritius	Switzerland
Ecuador	Mexico	Ukraine
Egypt	Mongolia	United Kingdom
Estonia	Morocco	United States of America
Finland	Namibia	Venezuela
France	Nicaragua	Zambia
Gabon	Norway	
Germany	Pakistan	
Ghana	Peru	

### Purview of the Simulation

The Economic and Social Council is the principal UN organ responsible for coordinating economic, social and related works of 14 specialized agencies, 10 functional commissions and five regional commissions. ECOSOC accepts reports and recommendations from other UN bodies, including the Commission on Sustainable Development (CSD) and the Economic Commission for Europe (ECE). Along with its coordinating role, ECOSOC gathers information and advises Member States on economic, social, humanitarian and human rights programs. ECOSOC also coordinates and collaborates with autonomous specialized agencies that work closely with the United Nations. These organizations include multilateral financial and trade institutions, such as the World Bank and the World Trade Organization.

**Website:** <http://www.un.org/en/ecosoc/>

## GLOBAL PREPARATORY MEETING FOR ANNUAL MINISTERIAL REVIEW (AMR) ON IMPLEMENTING THE INTERNATIONALLY AGREED GOALS AND COMMITMENTS IN REGARD TO EDUCATION

The Annual Ministerial Review (AMR) was launched at the 2005 World Summit. The overarching goal of the AMR is to ensure the implementation of international development goals such as the Millennium Development Goals (MDG) and the United Nations Development Agenda (UNDA). The AMR plays an important role as the only UN intergovernmental organization that combines thematic global discussions with civil society, the private sector and academia. Each year, the AMR concentrates on a specific topic agenda of the UNDA. In 2011, the AMR will focus its efforts on implementing the internationally agreed goals and commitments in regard to education.

Even though education is an important goal on its own, it acts as a catalyst for the achievement of other development goals. Education is recognized as a means for improving health, promoting gender equality and long-term poverty reduction. Although there has been remarkable progress towards achieving universal primary education, it remains one of the biggest global challenges, especially in developing countries. Improving education depends on comprehensive policies and actions that need to be implemented across varied sectors.

Worldwide, there are over 70 million school-age children who are not able to receive education due to social, financial and cultural challenges. At the 2011 AMR, the Economic and Social Council

(ECOSOC) will address these challenges by evaluating the implementation of education-related goals outlined in the Dakar Framework for Action and the Millennium Development Goals. The AMR session will focus on the major challenges affecting global educational goals and will make recommendations to promote education. In addition, the 2011 AMR will present an opportunity for ECOSOC to engage a broad-range of stakeholders to identify new initiatives and partnerships to implement the education-related goals.

In preparation for the 2011 AMR, certain measures have been taken at the national, regional and global levels. An e-discussion on education was held in February 2011. The e-discussion was prepared by the United Nations Department for Economic and Social Affairs (UNDESA), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF). At the national level, the AMR featured a variety of National Voluntary Presentations (NVP) on the progress made by Member States in education-related goals. The 11 Member States that participated in the 2011 NVP are Bangladesh, Republic of Belarus, Germany, Malawi, Mauritius, Mexico, Pakistan, State of Qatar, Senegal, Turkey and the Bolivarian Republic of Venezuela.

The regional meetings focused on education goals and challenges that are specifically related to the region hosting the events. The 2011 regional meetings included the Arab Region Regional preparatory Meeting on Innovative Approaches to Reaching Women, Girls and the Marginalized in the Arab Region, and the Asia Regional Preparatory Meeting on Education and the Millennium Development goals. These meetings focused on reviewing regional progress, sharing good practices and identifying unified regional perspectives and reports to share in the 2011 AMR.

At the global level, a preparatory meeting took place in April 2011 at the UN headquarters in New York. The meeting was open to the general public and included students and academic experts on education. The meeting covered topics ranging from access to education to quality and sustainability of the global education system. The global preparatory meeting was divided into two parts: the outcome of the Facebook e-discussion and a panel discussion. The Facebook e-discussion focused on access to education. The panel discussion featured presentations and discussions by expert panelists focusing on solutions to new global barriers to education. The global preparatory meeting played a key role in preparing the AMR agenda and the Report of the Secretary-General on Education.

Overall, the 2011 AMR will focus on progress made towards achieving the education-related UNDA. High-quality education has been proven to reduce poverty and aid in sustainable development. However, many of the current education trends require policy changes to strengthen the quality of the learning environment. The international community will have to establish practical strategies to increase access of education and enhance the quality of education worldwide.

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

- What measures and new approaches can be taken by the international community to ensure the achievement of the goals in regard to education?
- How can regional or global stakeholders assist to share and exchange good educational practices?
- What strategies can be undertaken to reach all three categories of out-of-school children?
- How can investment within the education sector be better targeted to support poverty reduction?

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E/2010/11  
E/2010/83  
E/CN.6/2010/1  
ECOSOC/6486  
Dakar Education for All Framework for Action

## Additional Websites

[www.un.org/en/ecosoc/amr/index.shtml](http://www.un.org/en/ecosoc/amr/index.shtml) - 2011 Annual Ministerial Review  
[www.unesco.org/new/en/education/](http://www.unesco.org/new/en/education/) - UNESCO Education

## ECONOMIC AND SOCIAL REPERCUSSIONS OF THE ISRAELI OCCUPATION ON THE LIVING CONDITIONS OF THE PALESTINIAN PEOPLE IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM, AND THE ARAB POPULATION IN THE OCCUPIED SYRIAN GOLAN

In 1967, Israel illegally occupied the Syrian Golan Heights, the Jordanian West Bank, and the Egyptian Gaza Strip (the Occupied Palestinian Territory). Since 1948, it is estimated that more than 750,000 Palestinians have been forcibly removed from their homes. According to a 2010 ECOSOC report, annual demolitions of Palestinian properties numbered 431, among them 137 homes. Additionally, Israel continues to refuse Palestinians building permits or revoke previous permits. Violence between Palestinians and Israelis continues to the present, though most economic and social repercussions are suffered by Palestinian civilians.

Illegal settlements continue to proliferate in the Occupied Palestinian Territories and have increased by over 100% since 1992, the year the Oslo Peace Process began. An increasing number of Palestinians are separated from vital water and agricultural sources as Israel continues to gradually expand its territory. Arabs in the Syrian Golan are especially affected by agricultural restrictions because it is their main source of economic activity. Since 2002, Israel has been constructing a wall through the West Bank, which further curtails

Palestinian movement. While still incomplete, it is estimated that 855,000 Palestinians are affected by the wall. Unemployment varies between territories, but has been reported as high as 20.1% in the West Bank and 40.5% in the Gaza Strip. In 2008, it was estimated that over 56% of the Occupied Palestinian Territories population lived below the poverty line.

Due to these factors, large numbers of Palestinian and Arab populations remain dependent on international aid for basic necessities, such as food and medicinal supplies. In 2007, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) launched a plan intended to affect some 50,000 students in UNWRA schools through its network of 306 elementary schools and preparatory schools. Other agencies, such as the United Nations Development Programme (UNDP), United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Children's Fund (UNICEF) provide financial aid for educational initiatives. The UNDP works to strengthen the civil and political structure of the Palestinian government to aid in infrastructure development. Despite involvement on the part of many UN agencies, humanitarian aid access to the Palestinian people is restricted.

Moreover, the 2008 series of Israeli military operations in the Gaza Strip, Operation Cast Lead, resulted in the displacement of tens of thousands of Palestinians. Immediately after the ceasefire, a UNDP survey found that over 3,000 houses had been completely demolished and over 10,000 houses were partially damaged. Over 50,000 displaced Palestinians were housed in United Nations Relief and Works Agency (UNRWA) shelters and facilities but 52 facilities were damaged by Israeli missiles. Hundreds of tons of medicine and food were destroyed, causing over \$3 million worth of damage. Since the end of the operation, the Israeli government has only allowed select international aid into the Gaza Strip. The situation in the Gaza Strip worsened as Israel places more restrictions on the international aid, compromising the conditions of basic services in the area.

Since 1967, the Security Council has repeatedly called for both parties to return to the table and restart peace talks, citing the worsening humanitarian situation in the Occupied Palestinian Territory. In particular, the UN has called for Israel, as the occupying power, to end the destruction of Palestinian property, named the Israeli settlements in Palestinian territory illegal, and called for a halt to construction of the wall through the West Bank. Among the recommendations in reports issued by ECOSOC to resolve the conflict, a lasting peace through a two-state solution is hoped for in order to end the humanitarian and economic problems of the Palestinian population. Recently, the Palestinian Authority has discussed seeking a resolution at the United Nations recognizing a Palestinian state with territory including all of the West Bank, Gaza and East Jerusalem.

Currently, the Quartet, composed of the United Nations, the European Union, Russia and the United States, is actively involved in negotiations between the Israelis and Palestinians to end the territorial conflict and the resulting hardship of the Palestinian people. The United States, with the support of the other members of the Quartet, put forward the Road Map for Peace in 2003, which aims to develop a two-state solution. The Security Council officially adopted the Road Map in 2003, but there has been little to any actual

implementation. In a 2010 resolution, ECOSOC called upon both parties to fulfill their commitments under the Roadmap.

In recent years, ECOSOC has requested that a number of reports be prepared on the situation in the Palestinian Occupied Territory to be submitted to the General Assembly. These reports give detailed statistics on actions by Israeli forces and their effects on the Palestinian population, including numbers of fatalities and injuries, demolitions, employment statistics, and various actions that restrict Palestinian movement. Overall, these statistics show a decline in casualties of violence, although Palestinian movement is increasingly curtailed and the Palestinian people are isolated from resources, adversely affecting livelihood and living standards.

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

- How can Member States help improve the living conditions in the Palestinian people in the Occupied Palestinian Territory?
- How can a two-state solution both respect the rights of the Palestinian people and protect Israeli citizens?
- What intermediate steps can the United Nations urge Israel and the Palestinian Authority to take in order to lessen the violence and promote access to the Occupied Palestinian Territories?

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E/2008/13  
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### **Additional Web Resources**

[www.badil.org/publications/Books/Wall-Report.pdf](http://www.badil.org/publications/Books/Wall-Report.pdf) - Badil Resource Center for Palestinian Residency and Refugee Rights and the Norwegian Refugee Council/Internal Displacement Monitoring Centre

[www.btselem.org/english/Jerusalem/Land\\_Expropriation\\_Statistics.asp](http://www.btselem.org/english/Jerusalem/Land_Expropriation_Statistics.asp) - Land Expropriation Information

[www.hrw.org](http://www.hrw.org) - Human Rights Watch

[www.ohchr.org/english](http://www.ohchr.org/english) - Office of the UNHCHR

[www.un.org/unrwa/](http://www.un.org/unrwa/) - United Nations Relief and Works Agency

## **REPORTS OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT (CSD) AND THE ECONOMIC COMMISSION FOR EUROPE (ECE)**

In addition to the two main topics on ECOSOC's agenda, the Council will also receive reports on the final day from the Economic Commission for Europe (ECE) and the Commission on Sustainable Development (CSD). As functional and regional commissions established by ECOSOC, CSD and ECE are required to make annual reports on their activities to the members of ECOSOC. While these reports are generally accepted pro forma, ECOSOC may also choose to take some action on the recommendations contained in the report. These bodies may also present their recommendations in resolution format, allowing ECOSOC the chance to review and formally pass the proposals.

To facilitate this process, the final day will culminate in a joint session at which the reports and recommendations will be made to ECOSOC. Following each presentation, it will be up to the joint session to take further action. Please be aware that, as commissions of ECOSOC, these bodies have been given significant responsibilities to study, review, debate and decide on recommended actions within specific topical areas that ECOSOC felt should be dealt with in greater detail than could be addressed by the main body. It is recommended that all Representatives assigned to ECOSOC also review the background section on ECE (Chapter VII) and CSD (Chapter VIII); Representatives may also choose to do some additional research on these topics in preparation.



# CHAPTER SEVEN

## ECONOMIC COMMISSION FOR EUROPE (ECE)

### Members of the Economic Commission for Europe

Albania	Hungary	Russian
Andorra	Iceland	Federation
Armenia	Ireland	San Marino
Austria	Israel	Serbia
Azerbaijan	Italy	Slovakia
Belarus	Kazakhstan	Slovenia
Belgium	Kyrgyzstan	Spain
Bosnia-	Latvia	Sweden
Herzegovina	Liechtenstein	Switzerland
Bulgaria	Lithuania	Tajikistan
Canada	Luxembourg	The Former
Croatia	Malta	Yugoslav
Cyprus	Monaco	Republic of
Czech Republic	Montenegro	Macedonia
Denmark	Netherlands	Turkey
Estonia	Norway	Turkmenistan
Finland	Poland	Ukraine
France	Portugal	United Kingdom
Georgia	Republic of	United States of
Germany	Moldova	America
Greece	Romania	Uzbekistan

This year's simulation will include one of the Economic and Social Commission's regional commissions, the Economic Commission for Europe (ECE). Participation in ECE includes one or two representatives for the countries that are currently represented on the Commission (see list, left). ECE will meet all four days of the Conference, and will report to a combined ECOSOC plenary session on Tuesday afternoon.

### Purview of the Simulation

The Economic Commission for Europe (ECE) is one of five regional commissions of the Economic and Social Council. ECE focuses on analyzing, advising and assisting the Member States in cooperation with the international business community. The commission meets annually, makes recommendations and reports to ECOSOC. The 56 Member State commission was established in 1947 to support pan-European sustainable economic development. In addition to the Member States, there are over 70 global professional organizations that participate in ECE activities.

**Website:** <http://unece.org/>

## CLIMATE CHANGE MITIGATION AND ADAPTATION

Global climate change is an issue of critical importance. The release of excess pollutants, particularly carbon dioxide, into the atmosphere, coupled with manmade changes in the geography of the earth that limit its potential to reabsorb carbon into the ecosystem, has caused a warming trend in the Earth's temperature which, at present, is only accelerating. It is estimated that global temperatures will increase by 2 to 4 degrees Celsius in the next 100 years, a steeper trend in temperature change than any seen in the past 10,000 years. No nation or region will be unaffected, and all must cooperate to solve the problem. Progress on this issue demands the worldwide diplomatic reach and consensus-building ability of the United Nations.

The actions that need to be taken in response to the crisis fall into two categories. Mitigation policies aim to reduce the ratio of carbon released to carbon absorbed worldwide, thereby reducing the severity of climate change. Adaptation strategies recognize that global warming has already occurred and will continue in the future. Mitigation and adaptation strategies are complementary to one another and ideally would be developed in concert, because the amount of adaptation that will be necessary is dependent on the effectiveness of mitigation activities.

The UN has been attempting to tackle the issue by establishing documents and treaties dealing at least in part with climate change. The most relevant of these is the Framework Convention for Climate Change, which seeks to reach a stable level of pollutant emissions worldwide to reduce interference with the climate. The Kyoto Protocol is the binding international treaty on climate change,

although some major contributors to global carbon emissions have not ratified it, and many countries that have ratified it are failing to meet their mitigation commitments. Other important UN actions on climate change include the Johannesburg Declaration and Plan of Implementation on Sustainable Development, as well as the Millennium Development Goals, which address environmental sustainability as Goal 7.

The Economic Commission for Europe (ECE) is particularly concerned with sustainability in the energy, urban development, and transport sectors, and is working to develop mitigation and adaptation strategies in each area. Energy sustainability has great potential for climate change mitigation, and many side benefits for the region. Energy efficiency projects aim to reduce overall demand, and save money, which can be put to better use in the context of a global economic recession. The development of a set of sustainable energy options for the region not only reduces emissions of carbon dioxide and other pollutants into the atmosphere, but also enhances energy security for Member States by reducing dependence on imported oil and spurring technological advances.

Urban development is another fertile field for mitigation activities in such a highly developed region. More efficient building strategies can lessen energy demand by reducing the need for constant heating and cooling. Design of cities to include parks and drainage systems can contribute carbon-absorbing greenery and improve the microclimates within a city, again slackening demand for artificial climate control. Cities are also a crucial place for the implementation of climate change adaptation strategies, because of the population concentrated there. Urban areas must be more resilient to natural

disaster than ever before, due to a population increase along with an increased probability of previously rare events such as floods, storms, and droughts.

The transportation sector is both a well-known contributor to carbon emissions and a crucial piece of the global and European economy. Adaptation strategies for the transportation network have not been well studied to date but will be needed to preserve the smooth flow of goods and people around the globe. Necessary components of any comprehensive adaptation plan will include engineering and retrofitting of ports to deal with rising sea levels, increased road maintenance in the face of larger seasonal temperature shifts, and disaster preparedness for transportation hubs. Mitigation efforts for transportation are better known and include efforts to develop alternative fuel vehicles and the infrastructure that will enable their widespread use.

Adaptation strategies are not politically difficult to put into effect due to their immediate and visible benefits to the population, but mitigation efforts can be more difficult to frame and implement. It is not enough simply to set targets for reducing carbon emissions - there must be effective strategies in place to enforce the accomplishment of those goals. Technological development is one answer that can be a win for both industry and the climate because of the economic opportunities that come with it. However, policies that make polluters liable for the costs of their actions may also be necessary in order to create economic incentives for climate-positive strategies. These types of solutions can be quite difficult to implement, and it is up to the region, countries, and even local governments to cooperate in developing a series of increasingly specific solutions that work for each area.

The countries of the ECE have a special responsibility to pursue climate change mitigation. Members include many of the world's most developed countries and also the biggest contributors to global carbon emissions; in 2008, half of the world's energy was consumed in the ECE region, which is home to about a fifth of the global population. Meanwhile, the effects of climate change are being felt disproportionately in some of the least developed countries in the world, including African states, where severe droughts have already caused famine. The ECE community must face this challenge by curbing its contributions to climate change, finding ways to protect its own population from the damage that has already been done, and assisting less developed regions in their efforts to deal with the situation.

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

- What are the most effective ways to quickly reduce carbon emissions on a large scale within the ECE region?
- What adaptation strategies are necessary in the short term to keep the ECE region functioning smoothly? In the long term?
- How much responsibility do ECE countries bear for the effects of climate change on other areas of the world, and what is an appropriate response?

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ECE/CEP/155

A/RES/64/73

Framework Convention on Climate Change

## Additional Web Resources

<http://unfccc.int> - Framework Convention on Climate Change  
[www.unep.org/climatechange/](http://www.unep.org/climatechange/) - UN Environmental Programme  
[www.unece.org/oes/disc\\_papers/climat\\_change.html](http://www.unece.org/oes/disc_papers/climat_change.html) - ECE on Climate Change

## SUSTAINABLE QUALITY OF LIFE IN HUMAN SETTLEMENTS IN THE 21ST CENTURY

Affordable and safe housing is the foundation of a quality lifestyle. Individuals with secure housing have an easier time finding meaningful employment, and their families are protected from the outdoor elements and natural disasters. Safe housing also has important health implications, particularly if there are dangerous chemicals present, poor air quality, or unsafe sources of heat or coolant. The location of housing determines access to public transportation, food, and other necessities.

Over the course of the last few decades, the growth of the housing market has not matched the speed at which the population has increased. This, coupled with an influx of immigrants into European nations and the ever-widening income gap, has left many Europeans without affordable and safe housing. As a result, the United Nations Economic Commission for Europe (ECE) formed the Committee on Human Settlements to focus on the issue.

In 2000, ECE articulated its broad goals for the upcoming new millennium. One of the areas ECE addressed was housing and land management, in recognition of the relationship between housing and economic growth and development. The ECE Strategy for a



Sustainable Quality of Life in Human Settlements in the Twenty First Century (the “21st Century Report”) set forth four recommendations: effective urban planning, the promotion of neighborhood regeneration, the refurbishment of the multi-family housing stock, and the promotion of access to affordable and adequate housing, infrastructure, facilities and public spaces. ECE contended that the implementation of these four recommendations would enhance the quality of life for individuals living in human settlements, thereby promoting economic growth and prosperity.

After the release of the 21st Century Report, ECE turned its attention to the implementation of the suggestions set forth in the 21st Century Report. It published one report, *Housing Finance Systems for Countries in Transition: Principles and Examples*, which provided a detailed analysis of various models of common housing finance in ECE countries. These examples allow a transitioning country to compare models and assess which policy may be most appropriate for their country. Another report, *Guidelines on Social Housing*, addressed the gap in income of the working poor and the cost of housing. The report emphasized that the affordability of housing is tied to an individual’s quality of life and social cohesiveness of society, and was the first attempt at best practice sharing among nations with respect to social housing.

In 2010, ECE revisited the initial 21st Century Report. By this time, the Committee on Human Settlements had been renamed the Committee on Housing and Land Reform. The Committee on Housing and Land Reform concluded that while a great deal of information had been produced, there was a gap between policy recommendations and implementation. As a result, the Committee recommended a ECE –wide housing policy, as discussed in the document “Principles and Goals for Affordable, Healthy, and Ecological Housing.” The Principles and Goals for Affordable, Healthy, and Ecological Housing were very specific in contrast to the broader ideas put forth previously by the Committee. The Committee also discussed the viability of making a ECE-wide housing policy legally binding. This led to the creation of the Working Group on a Possible Legally Binding Instrument on Affordable, Healthy and Ecological Housing in the ECE Region. This working group, still in its early stages, held its first meeting in April 2011.

ECE has declared that all citizens have the right to live in an ecologically sound and energy efficient home. However, the housing sector often maintains inefficient practices such as the wasteful use of water, little use of renewable energy, and improper waste disposal. As a result, the Committee adopted an Action Plan for Energy-efficient Housing in the ECE Region, which enumerated 12 policy goals aimed at improving energy efficiency in the housing sector by 2020.

Persistent housing shortages remain for a large percentage of the population and limit alternatives to ownership. Other challenges in building safety also persist, including the use of toxic materials in construction, unsafe building and construction practices, poor indoor air quality, hazardous heating systems, and lack of accessibility for the disabled. In addition, there has been increasing recognition of the link between disaster preparedness and improving security in building construction, as discussed at the International Forum on Natural Disasters and Building and Construction Safety in November 2010.

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

- What success has your country had with implementing the goals put forth in the ECE “Strategy for a Sustainable Quality of Life in Human Settlements in the Twenty First Century?” How can your country help other nations mirror your successes?
- Could an ECE-wide housing policy be viably created? If so, should it be legally binding?
- What should be done to make the housing sector more energy efficient?
- How can the implementation of the goals set forth by the Committee on Housing and Land Management be incentivized?

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ECE/HBP/159  
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## Additional Web Resources

<http://www.unhabitat.org/> - UN HABITAT  
<http://live.ECE.org/hlm/welcome.html> - ECE Committee on Housing and Land Management:



# CHAPTER EIGHT

## COMMISSION ON SUSTAINABLE DEVELOPMENT (CSD)

### Members of the Commission on Sustainable Development:

Algeria	Eritrea	Norway
Antigua & Barbuda	Estonia	Pakistan
Argentina	Ethiopia	Panama
Australia	France	Peru
Bangladesh	Gabon	Philippines
Belarus	Germany	Romania
Belgium	Israel	Russian Federation
Benin	Kazakhstan	Saudi Arabia
Brazil	Kyrgyzstan	Switzerland
Canada	Latvia	Switzerland
China	Libyan Arab Jamahiriya	Thailand
Colombia	Luxembourg	Togo
Costa Rica	Malawi	Ukraine
Cote d'Ivoire	Malaysia	United Arab Emirates
Cuba	Mauritius	United Kingdom
Democratic Republic of the Congo	Mongolia	United States of America
Denmark	Namibia	Uruguay
	Netherlands	Venezuela
	Nigeria	

This year, AMUN will include a simulation of the Commission on Sustainable Development (CSD), one of the functional commissions of the Economic and Social Council (ECOSOC). Participation on the Commission is open to two members from any country currently represented on the CSD (see list, left). The CSD will meet all four days of the Conference, and will report to a combined ECOSOC plenary session on Tuesday afternoon.

### Purview of the Simulation

The Commission on Sustainable Development (CSD) is a functional commission of ECOSOC that is responsible for providing policy guidance as the high-level forum for sustainable development within the UN. The 53 Member State commission was established in 1992 to review progress of the United Nations Conference on Environment and Development (UNCED). CSD holds annual meetings in New York focusing on specific thematic sustainable development issues. The commission supports innovative activities and broad collaboration from governmental and non-governmental actors.

**Website:** [http://www.un.org/esa/dsd/csd/csd\\_index.shtml](http://www.un.org/esa/dsd/csd/csd_index.shtml)

## SUSTAINABLE AGRICULTURE AND RURAL DEVELOPMENT

An estimated 7 billion people, or 83% of the world's population, will be living in developing nations by 2025. In the last 20 years, the world population growth rate has continuously been higher than the growth rate of the world food supply. The impact of population growth on the global agricultural system has been widespread. Sharply increasing crude oil and fertilizer prices are creating additional strains on agriculture and rural development. At least 40 governments have imposed emergency measures to control food prices while the urbanization rate in the least developed countries of the world continues to increase. Crises in agricultural and rural development are creating pressures on natural resources, social services, and the climate worldwide.

In 1992 the UN drafted a plan of action – Agenda 21 – to address these and other environmental challenges. The Commission on Sustainable Development (CSD) was created to monitor and report on the effectiveness of the implementation of Agenda 21. The Commission continues to address issues relating to sustainable agriculture and rural development (SARD) to this day.

Since its creation, the CSD has promoted the development of government policies that integrate environmental and agricultural concerns. While non-governmental organizations were increasingly active in promoting integrated policies, the Commission noted that by 1994, only a few countries had done so. The 1996 World Food Summit prompted some progress, and the CSD praised the

pledges and unified political statements made at the 1996 Summit as well as governments' increasing efforts to adopt integrated SARD policies.

The 2002 Summit on Sustainable Development proposed numerous actions to address SARD. The Summit examined market-based incentives to increase food production while addressing environmental concerns and improved coordination between existing initiatives underway at the CSD and the United Nations Food and Agriculture Organization (FAO). It also directed technical and financial assistance for small farmers and encouraged governments to ratify the International Treaty on Plant Genetic Resources for Food and Agriculture.

The CSD conducted a comprehensive review of sustainable agriculture and rural development policies and progress during its 2008 and 2009 implementation cycle. The Commission's sustainable agriculture policy recommendations focused on sustainable practices, enhancing productivity and food security, establishing social safety nets, and protecting natural resources. Policy recommendations to advance rural development focused on enhancing human and social capital, improving access to infrastructure, strengthening the agro-industrial base, promoting non-farming employment, and natural resource management.

Challenges remain, particularly around initiatives and policies that seek to address either rural development or sustainable agriculture without acknowledging the other. While calories per capita are increasing worldwide, some agricultural practices have fostered high calorie, low nutrition diets. Meanwhile, increased rural development and infrastructure has reduced available agricultural land and has

increased environmental pressures on agriculture. Food losses remain as high as 20 to 40 percent in developing countries, while shifts in agricultural practices and the climate are increasing reliance on irrigation, fertilizers, and scarce technological resources.

The key to the future of sustainable development are policies addressing expanding population and sustainable person/land ratio through maintaining and improving capacity of more promising agricultural lands while conserving and rehabilitating natural resources on lower potential lands. The success of SARD depends on leveraging the achievements so far: policy and agrarian reform, participation, income diversification, land conservation, and improved management. The challenge of sustainable agriculture will be to expand the focus on the support and participation from rural peoples, the public and private sectors, and the international community, specifically in the areas of technical and scientific cooperation.

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

- What actions can be taken at the regional level to promote integration of sustainable agriculture and rural development policies?
- What options are available to states for promoting sustainable agriculture and rural development in the face of food insecurity?
- What responsibilities does the international community have in promoting sustainable agriculture in the developing world?
- How do policies on industrialization, genetic engineering, and natural resource management influence policies on sustainable agriculture and rural development?

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CN.17/1995/6  
CN.17/1997/2/Add.13  
A/CONF.199/20  
UNEP/GC.26/INF/23  
Agenda 21  
Johannesburg Plan of Implementation

## Additional Web Resources

[esa.un.org/unup/](http://esa.un.org/unup/) - World Urbanization Prospects  
[www.planttreaty.org/](http://www.planttreaty.org/) International Treaty on Plant Genetic Resources for Food and Agriculture  
[www.un.org/esa/dsd/csd/csd\\_aboutcsd.shtml](http://www.un.org/esa/dsd/csd/csd_aboutcsd.shtml) - Commission on Sustainable Development  
[www.un.org/esa/dsd/agenda21/](http://www.un.org/esa/dsd/agenda21/) - Division for Sustainable Development, Agenda 21  
[www.worldsummit2002.org/](http://www.worldsummit2002.org/) - World Summit on Sustainable Development (WSSD)

## SUSTAINABLE MINING

In the twentieth century, the extraction of ores and industrial minerals grew by a factor of 27, far outpacing growth of the global population and the global GDP. Minerals and ores are required for development. Extraction from the earth is the only way to secure access to these valuable commodities. However, the mining industry has a historical record that includes human rights abuses, environmental degradation, and non-transparency which has tarnished its modern day image. Sustainable mining is one of the five topics in the current two-year cycle of the Commission on Sustainable Development (CSD).

Debate concerning sustainable mining has a history steeped in global dialogue, treaties, and organizations – but lacking in tangible results. The two major international agreements which form the foundation of the CSD acknowledge the need to improve the sustainability of mining throughout the globe in three main areas: social impact, governance/transparency, and environmental impact. The 1992 Earth Summit (Agenda 21) produced the Rio Declaration which includes several principles which closely correlate with the goals of sustainable mining including principles 6 (special consideration for Least Developed Countries), 8 (reduction of unsustainable consumption), and 13 (liability protection against environmentally damaging actions). The World Summit on Sustainable Development (WSSD) in 2002 resulted in the Johannesburg Plan of Implementation (JPOI). Paragraph 46 of the JPOI included goals for improving sustainability of mining by calling for the increased participation of local populations, fostering international financial, technical, and capacity building activities, and focusing on worker safety.

The focus of modern day sustainable mining has expanded to include five thematic areas: social responsibility, industry transparency, good governance, economic impact, and environmental impact. The most widely discussed focus in recent years is social responsibility, which includes transparency and good governance. This theme is intricately tied to investment and environmental protection as well.



Programs such as the Extractive Industry Transparency Initiative (EITI) and the Extractive Industry Technical Advisory Facility (EITAF) are administered by the World Bank Oil, Gas, and Mining Unit. These organizations work to ensure that extraction companies are transparent in their royalty payments and other fees to nations. They also work with LDCs to negotiate stronger contracts with companies. The International Finance Corporation (IFC) operates the Oil, Gas, and Mining Sustainable Community Development Fund (CommDev); it works to create and fund projects which exceed IFC requirements for community development including technical training, poverty reduction, gender equality and more. New IFC disclosure requirements were released in early 2011.

In recent years, significant concerns have been raised over the investment and economic impact of mining practices. The mining industry experienced historic highs in 2008 before succumbing to a historic fall in prices in late 2008 into 2009. Prices began to recover in 2010, but investment in new projects continued to lag due to uncertainty in the world economy and the continued difficulty in extracting, hard to retrieve minerals. During fiscal year 2010, the World Bank estimated that \$180.8 million was invested in 30 mining projects globally, nearly triple of the 2009 level, and that all of these projects were financed by the IFC.

Mining projects are generally funded much closer to the exploratory stage of the project than other extractive industries. This means projects in developing countries have benefited from the increase in international investment. This has been especially true in sub-Saharan Africa, where 62% of the IFCs portfolio is currently located. However, these international investments are contingent upon stringent social and environmental requirements like those found in the IFC social responsibility requirements or the World Bank Institute Governance in Extractive Industries (GEI) documents. The industry is projected to have above-GDP growth through 2015; most of the growth in demand will continue to occur in fast-growing nations, including China and India.

Despite considerable international dialogue regarding the environmental impacts of mining, little action is occurring on this front. Environmental problems include the water and energy intensive requirements of the industry, waste management, acid drainage, mine closure procedures, and unsustainable consumption on a global scale. Some progress has been made by attaching Environmental Impact Assessments (EIA) requirements to investment funds and by global campaigns to raise awareness of past environmental disasters in the mining industry. While the United Nations Environmental Program (UNEP) has discussed the creation of international regulatory measures for environmentally sustainable mining, no primary document has been developed. During the economic crisis in 2009, consumption dropped in many parts of the world. As consumption again grows, the topic will be further discussed at the high level. At this stage, most – if not all – environmental regulation is being established at the national and local level.

When the CSD convened in May 2011, it began the Marrakech Process, which seeks to draft a 10-year Framework of Programs on sustainable consumption and production. Secretary-General Ban Ki-Moon has called for the Commission to focus on practical solutions that can be immediately implemented to make a difference quickly. With the 2010 Earth Summit (Rio+20) quickly approaching,

a new emphasis is emerging on shifting from talk and agreements to tangible actions. Documents from CSD 18 called for expanded transfer of technology and capacity, as well as increased investment from the global finance community. Some of the major themes to be addressed in the future include the adoption of best practices relating to environmental and social impact assessments of mining; and training and capacity-building in developing countries particularly for resource identification, surveying, mapping and mine closure and rehabilitation. Additionally, challenges around managing and monitoring the environmental impact of mining are likely to be addressed as well.

Calls are also emerging for a UN Framework focused specifically on Sustainable Mining which would finally combine all the themes which have primarily been tackled on an individual basis. No matter what direction CSD 19 takes, it is clear that the time has come for real action on the social, economic and environmental impacts of mining which will promote responsible consumption, social development, and transparency in the industry.

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

- What policies, if any, should the CSD promote to rein in unsustainable consumption of extracted minerals and metals?
- What are the key aspects which would need to be included in an international framework for sustainable mining? What organization should be tasked with implementing such a framework?
- How can sustainable mining practices further promote the Millennium Development Goals?

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Rio Declaration

## Additional Web Resources

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[www.unep.org/scp/metals/mining.htm](http://www.unep.org/scp/metals/mining.htm) - UNEP – Mining





## CHAPTER NINE

# THE WORLD HEALTH ASSEMBLY (WHA)

Along with simulating the General Assembly Plenary and its First, Second, Third and Sixth Committees, AMUN will be simulating the World Health Assembly (WHA). WHA will meet all four days of the Conference, and will report on its findings to the Combined General Assembly Plenary on Tuesday afternoon. WHA's membership is open to all Member States, and as such, participation is open to one member from each delegation represented at the Conference. Requests for a second seat on this simulation should be directed to the AMUN Executive Office.

### Purview of the Simulation

The World Health Assembly (WHA) is the decision-making body of the World Health Organization (WHO). The Assembly first met in 1948 and now meets annually in Geneva. All WHO Member States participate in the WHA. The World Health Assembly sets policies of the Organization, evaluates and approves the proposed budget, and elects the Director-General.

**Website:** <http://www.who.int/mediacentre/events/governance/wha/en/>

## PUBLIC HEALTH, INNOVATION AND INTELLECTUAL PROPERTY

It is estimated that nearly 4.8 billion people, over 70% of the world's population, live in developing countries. Communicable diseases account for half of all disease in developing countries and 90% of the mortality from communicable diseases occurs in developing countries. Poverty and poor health are strongly correlated; among other factors, poverty directly reduces the ability to acquire essential medications at both the personal and national level. In order to reduce the burden of communicable disease, especially in the developing world, the World Health Organization (WHO) has promoted the development of and access to medicines while continuing to promote research and development. To address this need, WHO has developed the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property to promote innovation and increase access to medicines.

Intellectual property rights and the patent system are important incentives for the development of new health-care products because they offer the patent holder exclusive rights to market the product for up to twenty years. This restriction helps to ensure that the return on research and development investments is capitalized for the innovator. However, often patent protection leads to the concentration of pharmaceutical products to address the public health needs of the developed world, as these are the economies with the means to procure these products. Thus, the incentive has so far been insufficient to meet the need for the development of new products to fight diseases where the potential paying market is small or uncertain.

Past actions and resolutions of the World Health Assembly (WHA) have approached the topics of intellectual property, innovation and public health in a piecemeal fashion. Generally, the issue has been approached in the context of other high profile topics such as HIV/AIDS strategies, access to medication, or the role of international trade in public health. The issue has also been briefly mentioned in the Universal Declaration of Human Rights, the Millennium Development Goals, the Trade-related Aspects of Intellectual Property (TRIPS) and other United Nations documents.

In 2003, the WHA passed resolution 56/27 which called for the creation of the Commission on Intellectual Property, Innovation and

Public Health (CIPHI). The Commission was to be a time-limited body tasked with providing a report to the Executive Board and the WHA regarding the current state of health activities related to intellectual property, innovation and public health. The final report was presented to the WHA in 2006. The report focused primarily on the innovation cycle and how the WHA could work to promote such innovation in developing parts of the world. The report included several recommendations, but it did not include a strategy for creating a plan of action.

Upon completion of the report, the WHA passed resolution 59/24 which established the Intergovernmental Working Group on Intellectual Property, Innovation and Public Health (IGWG). The IGWG was tasked with drafting a global strategy and plan of action to achieve the recommendations of the Commission. Throughout 2007 and early 2008, the IGWG held three meetings. Several regional meetings were also held and the IGWG also hosted a series of web-based conferences. In May of 2008, the IGWG shared the draft global strategy and plan of action with the WHA as contained in resolution 61/9. The documents were formally adopted in resolution WHA 61/21.

The Global Strategy is comprised of eight elements: prioritizing research and development needs; promoting research and development; building and improving innovative capacity; transferring technology; application and management of intellectual property to contribute to innovation and promote public health; improving delivery and access; promoting sustainable financing mechanisms; and establishing monitoring and reporting systems. The Plan of Action is composed of over 100 specific actions organized within the eight elements of the global strategy and is currently being carried out by international organizations such as the World Health Organization (WHO) and the World Trade Organization (WTO) as well as individual governments. Pursuant to resolution WHA 61/21, the Director-General finalized specifics and timelines for the Plan of Action in 2009.

WHO is responsible for overseeing the implementation of the Plan of Action. An expert working group assists with implementation oversight. The Director-General has implemented a "quick start" program which includes global mapping of development and research activities and development of monitoring and reporting frameworks. The African Network for Drugs and Diagnostics Innovation was launched in 2008. Other actions taken by the Director-General are



outlined in the report to the WHA Executive Board in resolution EB 126/6. The World Intellectual Property Organization, the United Nations Conference on Trade and Development, and the United Nations Development Program are also engaged in implementing the Plan of Action.

Recent efforts have centered on creating a “patent pool” whereby corporations providing voluntary licenses can make medical advances available to developing countries. This approach is still in its infancy, and will require redoubled efforts to make a significant impact. WHO also developed a Quick Start Programme for immediate implementation of action items under the Global Plan for which the WHO Secretariat is responsible for. The Quick Start Programme lists mapping global research and development activities, identifying research gaps and research priority setting; promoting standard setting for traditional medicines in developing countries; developing and strengthening regulatory capacity in developing countries; and developing a monitoring and reporting framework as priorities. WHO is also focusing its efforts on developing regional and national networks for innovation, using the African Network for Drugs and Diagnostics Innovation as a model. There are also new efforts being taken to make core health technologies more accessible in resource-limited settings. Finally, WHO is promoting technology transfer as a means to increase research and development capacity.

The current Global Strategy and Plan of Action has been characterized as an immediate and medium range plan. As such, the Plan of Action is set through 2015. The Plan and Strategy will be reevaluated and necessary changes will be applied. Because the issue of intellectual property impacts nearly all research and development activities, future actions will continue to operate in a fairly decentralized manner. Many activities of the Plan of Action are just now in implementation stages, and outcomes remain unclear. Therefore, monitoring and reporting will play a vital role in the coming years to ensure that the global strategy and plan of action is implemented in an effective manner.

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

- Considering the broad reach of the issues at hand, should the WHA continue to promote a decentralized global approach or should the WHA establish a more centralized implementation source for the global strategy and plan of action?
- What should a reporting and monitoring framework look like for the plan of action? In particular, what is the proper balance between requiring reporting and protecting intellectual property of multinational corporations and governments?
- What incentives can be used to encourage multinational corporations and governments to make life-saving drugs more readily available to developing countries?
- What is the role of public-private partnerships in supporting innovation for public health?

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WHA 55/14  
WHA 56/17  
WHA 56/27  
WHA 59/24  
WHA 59/26  
WHA 60/30  
WHA 61/9  
WHA 61/21 – Global Strategy and Plan of Action  
WHA 62/16 (and appendices)  
CIPHI Report (2006)

## Additional Web Resources

[www.who.int/intellectualproperty/en/](http://www.who.int/intellectualproperty/en/) - Commission on Intellectual Property Rights, Innovation and Public Health  
[www.who.int/phi/en/](http://www.who.int/phi/en/) - World Health Organization, Public Health, Innovation and Intellectual Property  
[www.andi-africa.org/](http://www.andi-africa.org/) - African Network for Drugs and Diagnostics Innovation (ANDI)

## PREVENTION AND CONTROL OF NONCOMMUNICABLE DISEASES: IMPLEMENTATION OF THE GLOBAL STRATEGY

Four major noncommunicable diseases, cardiovascular disease, diabetes, chronic respiratory diseases, and cancer, account for nearly 60% of annual global mortality and up to 80% of these deaths occur in developing countries. Even more striking are estimates suggesting that nearly one-third of these deaths could be prevented annually by eliminating their four main risk factors, tobacco use, physical inactivity, unhealthy diets, and alcohol abuse. The World Health Organization (WHO) estimates that mortality from noncommunicable diseases will increase by 17% over the next ten years and this increase will disproportionately impact developing countries.

The recognition that development is directly impacted by morbidity and mortality from noncommunicable diseases has been slow in coming from the global community. In addition to the human toll, the long duration of most noncommunicable diseases also creates a significant economic burden. Despite the burden in the developing world, the prevention of noncommunicable diseases is not addressed in the Millennium Development Goals (MDGs). WHO, however, has developed a dedicated plan action to reduce the incidence and mortality of noncommunicable diseases globally.

In 2000, the World Health Assembly (WHA) adopted the Global Strategy for the Prevention and Control of Noncommunicable Diseases. The goal of the Global Strategy is to assist Member States in their efforts to reduce the burden of noncommunicable diseases. The overarching objectives of the Global Strategy are to strengthen health care systems for individuals with noncommunicable diseases, to reduce individual and population exposures to common risk factors, and to develop sound epidemiological data on the social, economic, behavioral, and political determinants in order to guide the development of data-driven prevention policy.

The Global Strategy also includes objectives on providing cost effective treatment and medications, decreasing exposure to environmental factors that increase the risk of disease development, and providing education on healthy diets and physical exercise as preventative measures. Following up on the passage of the Global Strategy, the WHA adopted the Framework Convention on Tobacco Control in 2003, the Global Strategy on Diet, Physical Activity and Health in 2004, and the Global Strategy to Reduce the Harmful Use of Alcohol in 2010. Together these documents provide a global framework to address the four most prevalent risk factors for noncommunicable diseases.

In May 2008, WHO adopted the Action Plan for the Global Strategy, with a special emphasis on the rapidly increasing burden in low- and middle-income countries. The plan calls for raising the priority given to noncommunicable diseases in international development work. The Action Plan covers six main objectives to be addressed between 2008 and 2013. The Action Plan also included performance indicators.

WHO launched the Global Noncommunicable Disease Network (NCDnet) in 2009 to coordinate international efforts. The NCDnet is a voluntary collaboration of leading health organizations and experts from around the world that are engaged in efforts to develop a multi-level coordinated response to the goals and objectives in the Action Plan.

During its 64th session, the General Assembly passed a resolution (A/RES/64/265) that called for a high-level session on the prevention and treatment of NCDs. The resolution also encouraged UN Member States to address the issue of non-communicable diseases at the 2010 Review Summit for the MDGs. The GA will convene the High-level Meeting on the Prevention and Control of Noncommunicable Diseases from 18-19 September 2011. The meeting will provide a unique opportunity for the international community to take action against continued prevalence of and suffering from noncommunicable diseases. The meeting will specifically address the prevention and control of noncommunicable diseases worldwide, with a focus on developmental and other challenges and social and economic impacts, particularly for developing countries.

In preparation for the High-Level Meeting, WHO is working with Member States to prepare reports on national estimates on the incidence and prevalence of noncommunicable diseases and their risk factors, and assessments of national health system capacity for noncommunicable diseases. WHO has emphasized the need to address the economic impact of noncommunicable diseases, including financial challenges, in particular in developing countries, at the High-Level Meeting and will develop global assessments to share with the General Assembly.

The 64th WHA session addressed current progress towards meeting the goals of the Global Strategy and discussed further steps for countries to take in an effort to help treat and eventually eradicate noncommunicable diseases. However, with dedicated action from both the WHA and the General Assembly, there are encouraging signs that the global community will be able to make significant progress on reducing the global burden from noncommunicable diseases.

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

- What tools exist to reduce the burden of noncommunicable diseases at the national, regional and international level?
- What is the role of civil society, the private sector and non-governmental organizations in supporting the Action Plan for the Global Strategy?
- What are the critical components of national policies on the prevention of noncommunicable diseases for developed and developing countries?

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A/66/83

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A/RES/64/265

A/RES/65/265

WHA53.17

WHA61.14

WHA63.12

WHA64.11

2008-2013 Action Plan for Global Strategy for the Prevention and Control of Noncommunicable Diseases

Framework Convention on Tobacco Control

Global Strategy on Diet, Physical Activity and Health

Global Strategy for the Prevention and Control of Noncommunicable Diseases

## Additional Web Resources

[www.un.org/millenniumgoals](http://www.un.org/millenniumgoals) - The United Nations Millennium Development Goals

[www.who.int/nmh/en/](http://www.who.int/nmh/en/) - World Health Organization Programme on Noncommunicable diseases and mental health

[www.guardian.co.uk/journalismcompetition/2011-theme-noncommunicable-diseases](http://www.guardian.co.uk/journalismcompetition/2011-theme-noncommunicable-diseases) - The Guardian journalism competition







# CHAPTER TEN

## THE INTERNATIONAL COURT OF JUSTICE (ICJ)

### Purview of the Committee

The International Court of Justice (ICJ) is the principal international judicial body of the United Nations. The two major roles of the ICJ are developing advisory opinions on matters of international law referred to it by specialized agencies and presiding over legal disputes submitted to the court by Member States. Only Member

States may submit cases to the Court, and the Court is only considered competent to preside over a case if the both States have accepted the jurisdiction of the Court over the dispute. The ICJ does not preside over legal disputes between individuals, the public, or private organizations.

**Website:** [www.icj-cij.org](http://www.icj-cij.org)

### JURISDICTIONAL IMMUNITIES OF THE STATE (GERMANY V. ITALY) - 2008

On 23 December 2008, the Federal Republic of Germany filed an application with the International Court of Justice asserting, among other claims, that “Italy has infringed and continues to infringe its obligations towards Germany under international law.” In addition to allowing civil claims based on violations of international humanitarian law to be brought against Germany in Italian courts, the Federal Republic of Germany also asks the Court to declare that Italy has violated international law by failing to respect the jurisdictional immunity enjoyed by a sovereign state by taking measures of constraint against German state property in Italy.

During World War II, the Third Reich utilized more than six million foreign nationals as forced laborers in Germany. These forced laborers came from all over Europe, including Italy, and were forced to work on farms and in manufacturing, including the manufacture of armaments. Luigi Ferrini, an Italian citizen, was captured by German troops in 1944 and forced to work in Germany, where he remained until 1945. In 1998 Ferrini filed suit against Germany in the Italian courts, claiming physical and psychological damages relating to his capture and subsequent forced labor in Germany. On 11 March 2004, the Corte di Cassazione (the Italian Supreme Court) declared that Italian courts had jurisdiction over the case, on the theory that the acts in question violated fundamental human rights, nullifying sovereign immunity. Since the decision in *Ferrini v. Federal Republic of Germany* a number of suits arising from similar facts have been filed in Italy.

The Corte di Cassazione declared that Italian courts had jurisdiction in the *Ferrini* case because, while customary law grants a foreign state immunity from jurisdiction for acts which are the expression of its sovereign authority, such immunity does not cover acts that amount to international crimes. The Italian Court determined that violations of fundamental human rights encroach upon the universal values protected by preemptory norms. Preemptory norms are those that take precedent over any conflicting law, including state immunity.

After the *Ferrini* decision, a group of Greek nationals filed suit against Germany in the Italian courts seeking to enforce a judgment for damages affirmed by the Hellenic Supreme Court. The claimants sought damages arising out of the massacre of more than 200 residents in *Distomo*, Greece, by Waffen-SS troops in 1944. Though the Hellenic Supreme Court affirmed the damages awarded, Greek

law makes enforcement of the judgment in Greece impossible. When the claimants in *Distomo* brought proceedings against Greece and Germany before the European Court of Human Rights, the European Court, referring to the principle of state immunity, held that the claimants’ application was inadmissible. The *Distomo* claimants then successfully sought to enforce the damages awarded by Greek courts in Italy. This resulted in the placement of measures of constraint, or lien, against Villa Vigorni, a cultural exchange center owned by the German government and located in Italy.

As remedies to the above requested findings, Germany asks the Court to find that: 1) the Italian Republic must take any and all steps to ensure that all the decisions of its courts and other judicial authorities infringing Germany’s sovereign immunity become unenforceable; and 2) the Italian Republic must take any and all steps to ensure that in the future, Italian courts do not entertain legal actions against Germany founded on the occurrences as described in the *Ferrini* case.

For its part, the Italian Republic supports the holding of the Italian Supreme Court, declaring that no violation of international law was committed, since, under international law, a State responsible for violations of fundamental rules is not entitled to immunity in cases in which immunity would be tantamount to exonerating the State from bearing the legal consequences of its unlawful conduct. Additionally, Italy relies on the European Convention on Human Rights, which stipulates the independence of national judges. As a party to the Convention, Italian judges are not subject to instructions imparted to them by their Government, even on contentious international issues. In reply, the German Republic holds that under Article 4 of the Articles on Responsibility of States for Internationally Wrongful Acts, Italy as a whole must shoulder responsibility for the acts of any state organ that is capable of exercising “legislative, executive, judicial or any other functions.”

The Federal Republic of Germany, to provide the Court jurisdiction to adjudicate on this matter, has invoked Article 1 of the European Convention for the Peaceful Settlement of Disputes of 29 April 1957, which directs parties to submit to the judgment of the International Court of Justice all international legal disputes including those concerning the interpretation of a treaty and the existence of any fact, which, if established, would constitute a breach of an international obligation. The Italian Republic does not dispute the Court’s jurisdiction. The German and Italian Governments have jointly issued a declaration in which Germany “fully acknowledges the untold suffering inflicted on Italian men and women” during World

War II. Furthermore, Italy “respects Germany’s decision to apply to the International Court of Justice for a ruling on the principle of state immunity [and] is of the view that the ICJ’s ruling on State immunity will help to clarify this complex issue.”

As part of its contentions against Italy, Germany calls the attention of the Court to the decision of the Corte di Cassazione in the *Distomo* case. Germany asserts that this is an unacceptable violation of their sovereign immunity. The doctrine of foreign sovereign immunity provides that a foreign state generally is immune from the jurisdiction of the courts of another sovereign state. State immunity developed as an “undisputed principle of customary international law” and the law of nations based upon core aspects of sovereignty applicable in common law, civil law and other judicial systems. Article 38 of the Statute of the International Court of Justice dictates that the Court apply international custom when resolving disputes. Germany specifically points to “attempts by Greek nationals to enforce in Italy a judgment obtained in Greece on account of a massacre committed by German military units during their withdrawal in 1944.”

Greece submitted an application to intervene in the case. Coming before the Court, Greece seeks to inform the Court of Greece’s legal rights and interests so that they may remain unaffected in the course of the Court’s holdings regarding jurisdictional immunity and international responsibility of a State in the matter of the main proceeding between Germany and Italy. In short, if unable to comment on the procedure relating to this case, Greece’s ability to negotiate a legal solution for all disputes arising from particular acts and the general practice of Germany during World War II could be impaired or prejudiced.

In response to Greece’s application, the Court determined it might find it necessary to consider the decision of the Greek court in the *Distomo* case. In light of the principle of State immunity, the Court must determine if Italy committed a further breach of Germany’s jurisdictional immunity when the Italian courts enforced the Greek judgment in the *Distomo* case.

In successfully adjudicating this case, the Court must consider two fundamental claims. First, is the sovereign immunity of a state violated when another state fails to respect jurisdictional immunity by allowing civil claims based on violations of international humanitarian law? Second, to what extent should the details of the *Distomo* case weigh on the Court in the context of the main proceedings between Germany and Italy?

Questions to consider include the following

- Is the sovereign immunity of a state violated when another state fails to respect jurisdictional immunity by allowing civil claims based on violations of international humanitarian law?
- Do the actions taken by the German Reich, as described in the *Ferrini* case, constitute violations of fundamental human rights? If so, do they provide the standing as a preemptory norm to justify the Italian Supreme Court’s disregard for the sovereign immunity of the Federal Republic of Germany?
- What weight should the Court give to the independent ruling of the Italian Supreme Court on the issues specifically related to this proceeding? Furthermore, to what extent should national courts be allowed to contradict or circumvent international norms or international law?

- Is the sovereign immunity of a state violated if such an action includes a third-party national?
- To what extent should the Court allow the circumstances of the *Distomo* Case influence its considerations on the main proceeding, if at all?

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- Counter Memorial of Italy.” Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)). Application for Permission to Intervene, Submitted by the Government of the Hellenic Republic.
- Order: Application by the Hellenic Republic for Permission to Intervene. Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)
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- [www.haguejusticeportal.net/eCache/DEF/9/285.html](http://www.haguejusticeportal.net/eCache/DEF/9/285.html) - Hague Justice Portal
- [www.icj-cij.org/docket/index.php?p1=3&code=ai&case=143&k=60](http://www.icj-cij.org/docket/index.php?p1=3&code=ai&case=143&k=60) - Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)
- [www.judicialmonitor.org/archive\\_1206/generalprinciples.html](http://www.judicialmonitor.org/archive_1206/generalprinciples.html)



# WHALING IN THE ANTARCTIC (AUSTRALIA V. JAPAN) - 2010

On 01 June 2010, Australia instituted proceedings before the International Court of Justice against the Government of Japan over a dispute concerning Japan's JARPA II program on "scientific whaling." Australia contends that the Court has jurisdiction in this matter based upon the provisions of Article 36, paragraph 2, of the Court's statute, which refer to the declarations recognizing the Court's jurisdiction as compulsory.

Australia's allegation is based upon a dispute over the interpretation of the International Convention on the Regulation of Whaling (ICRW). The stated purpose of the ICRW is to "provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry." Under the ICRW, state parties to the Convention form the International Commission on Whaling (ICW), which meets once a year to discuss and adjust the Convention. Since 1986, under the ICRW, there has been a moratorium on whaling for commercial purposes. In addition to the moratorium, an Indian and Southern Ocean Sanctuary was created, which also bans commercial whaling.

Article VIII(1) of the ICRW allows any Contracting Government to grant to its nationals a "special permit" for "scientific whaling." Whaling conducted under the protection of a permit is exempt from the ICRW, but all such permits must be reported to the ICRW "at once." After the 1986 moratorium, Japan issued itself a permit under which it has caught a small number of whales each year for scientific study. This program, known as JARPA I, ran from 1987 until it expired in 2005. When JARPA I expired, Japan announced that it was instituting a second phase of JARPA under Article VIII, called JARPA II. This second phase increased the sample size of whales taken under the program by 10%. JARPA II also expanded the study to include humpback and fin whales.

In its application, Australia alleged that "Japan's continued pursuit of a large scale program of whaling under the Second Phase of its Japanese Whale Research Program under the Special Permit in the Antarctic ('JARPA II') [is] in breach of obligations assumed by Japan under the International Convention for the Regulation of Whaling ('ICRW'), as well as its other international obligations for the preservation of marine mammals and marine environment." Australia contends that Japan has breached the following obligations under the ICRW:

1. The obligation under paragraph 10 (e) of the Schedule to the ICRW to observe in good faith the zero catch limit in relation to the killing of whales for commercial purposes; and
2. The obligation under paragraph 7 (b) of the Schedule to the ICRW to act in good faith to refrain from undertaking

commercial whaling of humpback and fin whales in the Southern Ocean Sanctuary.

In addition to its alleged breaches of the ICRW, Australia also contends that Japan has breached, and continues to breach, its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by removing from the sea specimens threatened with extinction absent exceptional

circumstances. Similarly, Australia claims that Japan has breached its obligation under the Convention on Biological Diversity to ensure that any actions taken within Japan's jurisdiction are not harmful to the environment of other States. Australia also asserts that ongoing negotiations in the ICW have been "unable to resolve the key legal issue that is the subject of the dispute, namely the large scale 'special permit' whaling under JARPA II."

Australia requests that the Court declare that Japan is in breach of its international obligations in implementing the JARPA II program in the Southern Ocean. It also requests that the Court order Japan to

1. Cease implementation of JARPA II;
2. Revoke any authorizations, permits or licenses allowing the activities which are subject of this application to be undertaken; and
3. Provide assurances and guarantees that it will not take any further action under the JARPA II or any other similar program until such program has been brought into conformity with its obligations under international law.

Japan has not yet responded or made formal statements as to how it will approach the case. Among the many possible positions Japan may take, it may 1) dispute the jurisdiction of the ICJ to hear disputes arising under the ICRW; 2) challenge the jurisdiction of the ICJ on the basis that there is no "existing dispute" between the two nations; 3) argue that Australia has no legal standing to bring the case; or 4) maintain that it has not violated any of its obligations under the respective treaties.

Questions to consider include the following:

- Does the Court have jurisdiction in this case?
- What are the obligations of a Contracting Government that issues a special permit to itself under Article VIII(1) of the ICRW? What is the nature of Australia's interests, if any, in Japan's issuance of a permit?
- Are Australia's arguments under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and under the Convention on Biological Diversity defensible?
- Is there enough evidence that JARPA II has a bona fide scientific purpose?

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Convention on Biological Diversity (CBD)

International Convention for the Regulation of Whaling (ICRW)

## Additional Web Resources

[www.asil.org/insights100708.cfm#\\_ednref5](http://www.asil.org/insights100708.cfm#_ednref5) - Donald K. Anton, Dispute Concerning Japan's JARPA II Program of "Scientific Whaling" (Australia v. Japan) ASIL Insights

[www.icj-cij.org/docket/index.php?p1=3&p2=3&k=64&case=148&code=aj&p3=0](http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=64&case=148&code=aj&p3=0) - Whaling in the Antarctic (Australia v. Japan)

## MARITIME BOUNDARIES (NICARAGUA V. HONDURAS, HISTORICAL) - 1999

Nicaragua seeks a determination by the Court establishing the maritime boundary shared between Nicaragua and Honduras. The conflict began in November 1999 when the Honduran Congress ratified the 1986 Caribbean Sea Maritime Limits Treaty, a bilateral treaty between Colombia and Honduras which grants Colombia sovereignty over a section of the Caribbean. The Nicaraguan government believes that the treaty, also known as the Ramirez-Lopez treaty, unjustly encroaches on 130,000 square kilometers of its maritime border. Honduran ambassadors in Managua said that the treaty was being ratified, after years of negotiations, because Honduras believed that Nicaragua and Jamaica were planning a claim on the disputed territory, which includes the islands of San Andres, Providence, and Serranilla Key.

Tensions rose in December 1999 with rumors of military troop movements near the Honduran/Nicaraguan border, which both parties denied. In response, Honduras and Nicaragua signed an agreement in March 2000 limiting the patrol of the contested Caribbean waters and military presence along their border until the dispute could be heard by the International Court of Justice. Nevertheless, even after signing of the treaty, there were naval incidents in the disputed area. In February 2000, Nicaraguan military officials accused two Honduran naval vessels of entering Nicaraguan waters and opening fire at a Nicaraguan patrol boat. The Honduran response was that a Nicaraguan patrol boat was about to detain a Honduran fishing vessel in Honduran waters. In December of the same year, the Honduran Navy seized the Nicaraguan vessel *Mister Kerry*, which it alleges was in Honduran national waters.

The underlying disagreement surrounds the land boundary created by the Arbitral Award from His Majesty the King of Spain on 23 December 1906. Both nations brought the issue of this land boundary before the ICJ in 1960 where the Award was found "valid and binding." Since then, the situation has achieved international attention as a serious threat to the region's stability and economic unity. The Inter-American Peace Committee of the Organization of American States (OAS) provided additional international assistance by aiding in determining the final details associated with the 1906

Award. The shortcoming of this agreement was that it left the issue of maritime delimitation considerably vague.

The Nicaraguan government made application on 8 December 1999 to have the ICJ finally resolve the issue of the Nicaraguan/Honduran maritime border. They applied under Article 36, Paragraph 1 and Article 40 of the Statutes, and Article 38 of the Rules of the Court. Jurisdiction exists, according to Nicaragua, under Article 31 of the American Treaty of Pacific Settlement of 1948, also known as the Bogotá Pact, because both Nicaragua and Honduras are signatories. Nicaragua also points to the general recognition in international law of the rights of coastal states, as set forth in Article 142 of the 1982 Law of The Sea Convention, as a source of jurisdiction. Nicaragua maintains the 1906 Award defined only the land boundary between Nicaragua and Honduras, and accordingly there is no established Caribbean maritime boundary. Nicaragua urges the Court to use the bisector of the coastal fronts of the two countries at a fixed point about three miles away from the mouth of the Coco River as the maritime boundary in the disputed sea area within the region of the Nicaragua Rise. Nicaragua maintains that the lowest point, or *thalweg* of the main mouth of the river, should be the starting point of the delimitation.

Honduras claims that the delimitation line runs straight easterly from the mouth of the Coco River, the point defined by the Arbitral Award on the parallel fourteen degrees, fifty-nine minutes and eight seconds. Approximately 30 miles away from the mouth of the Coco River are multiple reefs, rocks, and cays that have become an integral part of Honduras response to Nicaragua's application. Honduras requests the court to declare the Bobel Cay, South Cay, Savanna Cay, and Port Royal Cay, along with all other islands, rocks, and reefs that are claimed by Nicaragua and lie north of the 15th parallel, to be considered under the Republic of Honduras's sovereignty. Honduras asks the court to delimit the land in keeping with the 1906 Award.

In this simulation, the ICJ will preempt history from the time when the Court's simulation begins. History will be as it was written until the moment the Court convenes on 5 March 2007. From that moment on, however, ICJ participants exercise free will based on the range of all the choices within their national character and the confines of available law.

Questions to consider include the following:

- Does Nicaragua have a viable claim on the area of concern?
- Does the land boundary created by the Arbitral Award extend into the maritime border?
- What jurisdiction is created in the Bogotá Pact? How does the Law of the Sea Convention affect the international legal perspective on the situation?
- Does the 1906 Award apply to the Bobel Cay, South Cay, Savanna Cay, and Port Royal Cay, or is it only relevant to the land boundary?

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[www.sogeocol.edu.co/documentos/trat\\_col\\_honduras.pdf](http://www.sogeocol.edu.co/documentos/trat_col_honduras.pdf) - Caribbean Sea Maritime Limits Treaty (please note: the treaty is in Spanish)

[www.icj-cij.org/docket/index.php?p1=3&p2=3&k=6b&case=39&code=hn&p3=6](http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=6b&case=39&code=hn&p3=6) - Arbitral Award Made by the King of Spain on 23 December 1906

[www.haguejusticeportal.net/eCache/DEF/6/195.html](http://www.haguejusticeportal.net/eCache/DEF/6/195.html) - The Hague Justice Portal

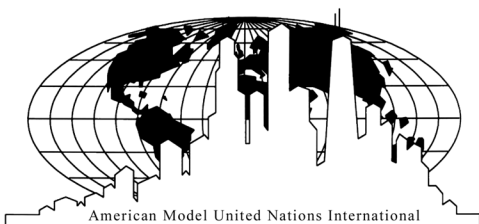
# NOTES







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