# 2013 *Issues at* AMUN
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# 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, Commissions and International Court of Justice at the 2013 Conference. These are intended as a guideline and basis for Representatives' further research of the issues involved. In keeping with this goal, each overview includes a bibliography to guide Representatives to appropriate sources of additional information.

The overviews provide background on 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 subsidiary issues. This format allows Representatives to go into greater detail in their preparations, without the need to research all aspects of a 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 One - 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.

# 1 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 changing role the organization plays in international affairs. This section provides a brief background on the UN system and 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 ratified 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.
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;" and
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, but a majority of the body's work is adopted by consensus.

**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.

**The Economic and Social Council (ECOSOC):** ECOSOC is the primary body dealing with economic, social, humanitarian and cultural work of the United Nations system. It also has a mandate to coordinate the activities of UN technical and specialized agencies and programs. ECOSOC oversees five regional economic commissions and nine functional, or "subject-matter," commissions. ECOSOC is composed of fifty-four Member States, elected by the GA for three-year, renewable terms.

**The 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 system includes a number of autonomous technical and specialized agencies and programs. 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). While most of these agencies and programs have independent governance structures, their activities are coordinated by ECOSOC.

## BLOC POLITICS

Historically, 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 were 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.

Regional groups were formally established at the UN in 1957, with an endorsement by the General Assembly. As the number of Member States increased, the groups were realigned to form today's five groups: Latin America and the Caribbean group (known as GRULAC), the Asia-Pacific group, the Africa Group, the Eastern European group and the Western Europe and Others group (WEOG). These regional groups are still used today to manage elections. Security Council seats are allocated by regional group, and the Vice Presidents of the General Assembly are chosen by regional groups, with the actual election mostly a formality. Other, smaller regional blocs, such as the Nordic countries or the JUSCANZ group, also exist, though they lack the formal recognition granted to the five regional groups.

Regional groups are not the only blocs active at the UN. The Non-Aligned Movement (NAM), founded in 1961 as a group seeking a middle course between the Western and Eastern blocs of the Cold War, the NAM rapidly became an active body for the coordination of action at the UN for developing countries. While its importance has diminished since the end of the Cold War, it is still active on numerous issues at the UN. The Group of 77 (G-77) was founded in 1964 as a coordinating body to protect the economic interests of small and developing countries. With 132 members, it is the largest UN bloc, though coordination among members is fairly loose.

Blocs usually attempt to form a consensus among members, allowing them to act as a cohesive group. The effectiveness of any given bloc in exerting its positions in the General Assembly depends upon its ability to form a consensus among its own members, and then get their members to vote accordingly. These acts of compromise form the basis of UN politics, and often occur within the various caucusing groups before they can begin to apply to the UN as a whole. The consensus position that comes out of the bloc is often the starting point for debate in the larger UN body.

Bloc politics have changed considerably over time. Some regional blocs are still coherent, like the Nordic countries, while others, like the Western European and Others group, lack continuing cohesion. In general, their viability as a political tool is diminishing, and blocs are falling out of use as a predictable measure of votes. Often today, blocs get together to draft resolutions that begin the discussion, but when it comes time to vote, each member will almost certainly vote in its own interest, regardless of its bloc membership. Additionally, members may be part of multiple blocs, with diverging or competing interests.

However, blocs are not completely irrelevant; often they are used to get an initial proposal to the floor when consensus cannot be found quickly in the larger body. Today, the most common blocs are small, temporary negotiating groups that gather around one issue to try to overcome stalemate in the larger membership bodies. Additionally, Member States in the Global South often bind together to maximize their power, especially in the face of a relative lack of economic power. Some blocs have their own secretariat staff whose job it is to draft proposals and find solutions that the larger body is unable to find. Some of the more well-funded and organized blocs have a formally recognized role as permanent observers with permanent observer missions at the UN headquarters. Examples include the African Union, the Caribbean Community, the European Union, the Arab League, and the Organization of Islamic Cooperation. These blocs are a powerful example of Member States coming together to advance goals that may be independent of the regions they represent.

At AMUN, blocs will not be treated as official bodies. Representatives are encouraged to caucus in their bloc groups only when appropriate. 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. Above all, remember that you represent your country and your country's interests, regardless of your participation in a bloc while caucusing and drafting.

## RESEARCH AND PREPARATION

Research and preparation can be broken into six areas:

1. **The UN system as a whole:** It is vitally important for each Representative to understand the basics of the organization which they are simulating—the United Nations. Well-prepared students not only should know the basics of the UN's structure, but also should have a good understanding of how the Committee they will be working on fits into the organization. Understanding this information will allow Representatives to better understand what their Committee can or cannot do within the UN system, what they can make recommendations on, what they can reasonably demand, and what issues are beyond the purview of the body they are simulating and should be handled by another UN body. The *Issues at AMUN* handbook includes, for each Committee, a brief description of that body's purview. This is provided to assist students in understanding the place of their work in the UN system, and it should be supplemented with additional research.

2. **Current statistical information and general background of the represented state's history and policies:** This is the first key to understanding what actions a nation may prefer on specific issues. Research should include, but certainly not be limited to, areas such as population, government type, natural resources, and trade data. Traditional allies and adversaries should also be noted. Additionally, a country's history can be crucial to its contemporary actions, including the question of whether that country was previously colonized or was a colonial power, when the country gained statehood, and what means were used in gaining independence (i.e., civil war, violent struggle, peaceful movement, etc.).

3. **Specific background of the state's viewpoints on the issues to be discussed at the Conference:** This is the central point of most Model UN preparation: focused research on the issues being discussed in each committee and on the Member State's position on those issues. Research can come from a variety of sources, beginning with UN documents and moving to articles, periodical sources, books, and Internet resources beyond the UN website. UN resolutions and reports on the issues under discussion are especially helpful because they provide a quick reference to what has already been accomplished by the UN, and to what still needs to be done in the future. These documents also frequently provide voting information, which allows Representatives to quickly determine their country's past positions on issues. A number of relevant sources are provided in the bibliography section of each topic brief in the *Issues at AMUN* handbook. Contacting the represented country's Permanent Mission to the UN can also be helpful, but the level of assistance provided varies with each country's policies and the resources they have available.

For some countries, it will be very easy to find specific information to determine a position on most or all topics, and for others this information will be difficult to come by or simply not available. When clear-cut information is not available, it is incumbent on the students preparing to make the best possible inferences of what the country's policy would be, given the facts available. This might include knowing the country's background, its traditional allies, the stance of a regional group with which they tend to agree, or a variety of other factors. Regardless of the facts available, knowing *exactly* what a country would do in a given situation is typically not possible. Representatives should strive in their research to know as much as they can about the country and its stance on each topic, and to educate themselves enough to make reasonable policy assumptions on issues which are not totally clear.

4. **The current world situation as it applies to the state:** This is a subset of the previous two areas of research, but is important enough to be mentioned in its own right. There is a significant difference between the policies and perspectives of the only remaining superpower and a nation with very little military might. Even more significant at the UN is the differences on many issues between the policies of the relatively rich, industrialized nations and the relatively poor, developing (and especially least-developed) nations. Additionally, a nation which is currently involved in a civil war, or a nation which is under UN sanctions, may have unique responses on some issues which are very different from those of the remainder of the international community. Knowing where the nation a student represents fits in the current world geopolitical context, as a complement to his or her country-specific research, can answer many questions which will come up during the simulation.

5. **The perspectives of states with differing viewpoints on the issues:** This is one of the more difficult areas in preparation. While it is reasonable to expect that a Representative will know who their general allies and adversaries on a given issue should be, it is very difficult to have detailed information on what the policies of each country in the simulation will be on a given issue. Limitations in preparation time by definition require that students focus *primarily* on the policies of their own country, often learning about others through references in their own research. This is an area where complete knowledge will serve participants well, but it is much more likely that each Representative will be learning the formal policies of the other countries in the committee when they give speeches from the floor and confer behind the scenes in caucus sessions. In roleplaying, then, flexibility is key: Representatives must aggregate and assimilate new information they gain at the Conference with their pre-Conference research in order to reach consensus and compromise on complex issues.

6. **AMUN Rules of Procedure:** While substantive discussions of the issues form the basis of any good simulation of the UN, the rules of procedure are used to facilitate the substantive debate which occurs. In general, these rules are intended to provide an even playing field, allowing each country to accomplish its individual goals in advocating their policies, while also maximizing opportunities for the group to reach agreement, or even consensus, on the issues. Several levels of preparation are possible on the rules. For new Model UN participants, it is recommended that each person have a working knowledge of the principal motions which can be made during the simulation, encapsulated

on the Rules Short Forms on **pages 35-36** of the *AMUN Rules & Procedures* Handbook. The Dais Staff of each committee will assist Representatives in using these rules on the first day of the Conference, and assist in bringing everyone onto an even playing field. For experienced Representatives, especially those who have not attended AMUN in the past, we suggest reading AMUN's rules in-depth, both as a refresher on these rules of procedure and to note differences from other conferences a school might attend. Most Model UN conferences use slightly different rules of procedure, and in some cases the contrasts are significant. In order to best facilitate everyone's experience, it is incumbent upon every participant to learn and use the rules established for this Conference.

## PREPARING AS A GROUP

Research on the areas described above is the essential element in preparing for AMUN. It is strongly recommended that Representatives use a combined effort whenever possible in doing research. Representatives can fully take advantage of all the people representing their country by assigning various topics to each individual to research and report on to the group; some areas will naturally lend themselves to group research and discussion, while others will be more individually-based.

In particular, researching the UN system and the specific background on a nation can be more easily accomplished by a group effort. Each student can be assigned a specific area, such as historical background of the country, current statistics, etc. Individuals can then report back to the group on their findings, possibly including a written or oral report, and allow for greater knowledge-sharing among the delegation members.

By contrast, research on the topics discussed in each Committee will, by its nature, be more individualistic. This does not mean, however, that the other members of the delegation will not benefit from a briefing on each topic. Topic briefings can both give the entire delegation a broader picture of country policy, as well as give the individual Representatives valuable practice in consolidating the information they discover and in making a public presentation to the group. These briefings may also assist the entire delegation in gaining a comprehensive perspective on its country's policies.

## GENERAL SOURCES OF INFORMATION

AMUN recommends the following general sources of information to use when researching your country and the issues of the Conference. Note that many of these sources are available on the Internet, either publicly or through subscriptions that are often held by your school library.
- United Nations Today (UN Department of Public Information)
- The World Almanac or The Universal Almanac
- Permanent Missions to the United Nations (e-mail for information on your nation and the specific issues under consideration)
- UN Department of Public Information (e-mail for a publications list)
- The Europa World Yearbook (Available in most library reference sections; contains detailed background on all countries and international organizations in the world)
- United Nations Handbook (Published annually by the New Zealand Ministry of Foreign Affairs and Trade)

- Various periodicals, including the *UN Chronicle, New York Times, Christian Science Monitor, The Economist* (Weekly), and *Keesing's Record of World Events* (Monthly).

Participants can also contact the United Nations Information Centre (UNIC) to request any specific document published by the United Nations at no charge, so long as the document number is known. These document numbers can usually be found through Internet searches. The UNIC in the United States can be contacted at 1775 K Street, N.W., Suite 400, Washington, DC 20006, (202) 331-8670, or by e-mail at unicdc@unicwash.org.

## USING THE INTERNET

**AMUN website**: When using the Internet, a great starting point is AMUN's website, which includes links to these and many other UN-related sites. This website is updated with UN links as they become available and includes a great deal of background information to assist in your preparations for a conference. AMUN's website can be reached at **www.amun.org**.

**News sources**: Most major newspapers and news organizations are available online and are an excellent source for country and topic information, allowing you to access a daily synopsis of worldwide news.

**UN documents**: Most United Nations resolutions, documents, speeches and other resources can be accessed through the Internet. Most UN agencies are represented, along with databases containing information on various regions around the world.

In particular, the main United Nations Website at **www.un.org/en/members/index.shtml** provides up-to-date information on UN Documents passed in the General Assembly, Security Council, and ECOSOC, as well as historical information from these bodies, reports of the Secretary-General on various issues, and other very useful documents.

Most UN members now have websites for their permanent missions in New York and Geneva. When a website is available, it often includes details on the country's policy and may have actual speeches given by Representatives of that country at the United Nations. These addresses can be found at **www.un.org/members**.

The UN also provides public access to its Official Documents System (ODS), which includes nearly all of the documents published by the UN, including many that are not available on the UN's main website. The ODS system is available at **documents.un.org**. Please note that the search engine available on ODS is not always easy to use, but it is very easy to find files if you know the UN document number. The bibliography section of each topic brief in the *Issues at AMUN* handbook contains references to several UN documents and can act as a starting place for your preparations. You may want to utilize the UNBISNET search engine to find your document name/number, and then move to ODS to find the actual document. UNBISNET also provides access to voting records and country speeches. Found online at **unbisnet.un.org**.

# WHY DRAFT A POSITION PAPER?

Well-crafted position papers can serve as an excellent preparatory tool for Model UN conference participants. A position paper can be used either as a device for internal preparation among the members of a delegation or as a public statement of your delegation's positions on the issues being discussed at the Conference. AMUN requests that all delegations submit public position papers to the Conference but also strongly suggests that each delegation prepare internal position papers which more clearly and completely define their nation's perspective.

AMUN believes the most important information a delegation can furnish to other delegations prior to the Conference is its basic public policy on each issue to be discussed.

# INTERNAL POSITION PAPERS

This type of position paper is intended as a preparatory tool for the individuals on your delegation and for the delegation as a whole. While these are not required, AMUN strongly recommends that groups preparing for the Conference use position papers as one step in their preparations. Internal position papers, which are often called white papers in the international community, are a broad-based statement of your country's policies on a specific issue. These might include what you publicly tell other nations, your knowledge of any behind-the-scenes diplomacy (e.g., what deals have been made on the sidelines), information on allies and adversaries on each topic, your negotiating position on the topic and what your nation hopes to accomplish on the topic. This might also include your bottom line negotiating position, the things you will press for in discussions, and what (if anything) your nation must see (or *not* see*)*, in a draft resolution before it can provide support.

Internal position papers are very valuable tools for individual preparation, as they force students to think about the full complexity of the issues they are confronting from your delegation's perspective. Also, by asking students to put their ideas in writing, an internal position paper can force each student to condense a large amount of research and ideas into a small, more comprehensible argument from your nation's perspective.

These types of position papers do not need to be more than one or two pages in length and may be written either in paragraph form or with bullet points for each unique idea/issue in the topic area. Also, the entire delegation can benefit from each individual's work if these papers are shared with each group member, thus providing a more well-rounded view of the represented country's positions on all issues.

# PUBLIC POSITION PAPERS

Public position papers are intended as a public statement of your country's positions on the topics being discussed at the AMUN Conference. Each paper should include brief statements about where your country stands on the issue in question and on what the UN has done to confront this issue. It should also include your country's public position on the options for the UN in the future, noting proposals which your group has (or intends to have) sponsored, supported or not supported and why. Public papers do not need to go into detail about your negotiating positions or other behind the scenes issues, but

should rather be seen as something that a diplomat might say in a public speech on the topic.

# ITEMS TO INCLUDE IN PUBLIC POSITION PAPERS

While the position papers sent to the Conference can include any material that your delegation deems appropriate for public consumption, a number of items should be included in a well-written position paper. First, each section of the paper should specifically state the one or two key points that your country believes are the most important on each topic. While other important issues can be included, no more than two should be highlighted. The paper can then go into specific details on why these points are important and on what your country believes should be done by the UN or its Member States to improve the situation in question. Many papers will then sum up by recapping the most important points.

There are a number of other items that you might include in a public position paper depending on the specific topic, the available information and your country's particular situation. You should consider incorporating some or all of these elements in your position papers:
   • References to past UN resolutions and international treaties, providing the specific number or name of that document and the year it passed;
   • References to the UN Charter, as appropriate for the topic;
   • Past statements by the Secretary-General, a senior UN Secretariat member or by a Representative of a UN agency on the topic;
   • Reference to the work the UN has already done on the topic, whether by specialized agencies, regional bodies or working with non-governmental organizations;
   • Past statements on the topic by Representatives of your government, especially if these mention the significance of the specific issue to your country;
   • Specific suggestions of actions that your country will support in solving the issue in question.

Finally, it is important to note that a well-written public position paper is **not** about your country, but rather about what your country would like to accomplish on the topics of discussion in each simulation. Thus your public position papers should not talk about the problems facing your country, but rather the problems facing the international community. Other countries do not care as much about your internal issues, but rather are interested in where your country stands on the external issues under discussion at the UN. If your country is a clear example of a successful UN program in action, or if your country is a member of an affected group, you may want to include a brief reference to that in your paper; otherwise, there is usually no need to even mention specifics about your country in a position paper.

# SUBMISSION OF POSITION PAPERS

AMUN requests each delegation submit a position paper to the Conference, covering each Committee on which it is seated, **no later than 25 October.** These papers should include **no more than one-half page on each topic** that is covered under the committee. Thus, all delegations should submit a paper covering the Concurrent GA Plenary and each of the four General Assembly Committees, including both topics for each committee. Delegations represented on ECOSOC should also include the two main topics of discussion for

that Council. Delegations represented on the Commission on Crime Prevention and Criminal Justice (CCPCJ) should also include the two topics of discussion for the Commission. Delegations represented on the Economic Commission for Latin America and the Caribbean (ECLAC) should also include the two topics of discussion for the Commission. Delegations represented on the Security Council or Historical Security Councils should choose the two or three topics which they think are the most important for their respective Council to discuss, and include these in their position paper. If a delegation chooses to place a Representative on the Special Committee on Peacekeeping Operations (SCPKO), a section for that committee should also be included.

**Format of Papers**: One comprehensive position paper should be submitted online for each *delegation*, combining all of the committees on which that delegation is seated. A sample position paper, along with full submission instructions, is available at AMUN's website: **www. amun.org/sample-position-papers/**.

The AMUN Secretariat will not judge the position papers, other than to check for completeness and general germaneness. Position papers will be collected and organized by the AMUN Secretariat, posted on the AMUN website prior to Conference and then made available in the Home Government office for public perusal during the Conference. As public documents, position papers must conform to the standards laid out in AMUN's policy on plagiarism (see below).

**Submission Specifications**: All position papers must be submitted via AMUN's online web form, available at **www.amun.org**. Additional submission information will be sent in the fall to all registered schools. AMUN reserves the right to reject any position paper that fails to address one of the topics as stated in the *Issues at AMUN* handbook, does not comport to basic standards of diplomatic courtesy or is determined to violate the policy on plagiarism.

**Extension of Due Dates:** AMUN realizes that some schools are on quarter or trimester systems, and thus have a later start date. Any school with a late fall start date may request a one week extension to the official due dates listed above by e-mailing the AMUN Executive Office at **mail@amun.org**.

## POSITION PAPER AWARD CERTIFICATES

AMUN will provide a Position Paper Award Certificate for each delegation that submits an approved, completed position paper, including sections for each topic in all assigned simulations, by 11:59 p.m. Central Time on 25 October. Note that this must include sections for the General Assembly Plenary, all GA Committees, and any other simulation on which the delegation has a Representative seated. If a school is representing multiple countries, each country will be considered separately for Position Paper Awards.

For answers to any questions about writing or submitting position papers or about Position Paper Awards, please contact the AMUN Executive Office at **mail@amun.org**.

## PLAGIARISM

AMUN strives to create a simulation of the United Nations which is as realistic as possible, while still allowing for the fulfillment of our participants' and the organization's educational goals. As such, the AMUN policy regarding plagiarism focuses on an educative rather than a punitive goal. At AMUN, plagiarism involves the substantial, verbatim, or near-verbatim copying of language, without attribution, in published or unpublished texts, speeches, or documents. Representatives should adhere to their country's policies at all times, but this does not give license to plagiarize existing materials. Thus, parts of speeches or position papers may be derived or paraphrased from previous speeches or papers, but should not be copied verbatim.

Similarly, it is expected that all Representatives are familiar with past resolutions at the UN, but the work of the UN should be expanded on in Representatives' work, not copied verbatim. There are some exceptions: for example, Representatives are not necessarily expected to expand upon a phrase that is often or always used when a country gives a formal speech or a clause that is repeated verbatim through several years of resolutions on a topic. Generally, it is not necessary to explicitly credit such sources, although if substantial language is quoted, it should be acknowledged and cited. Final determinations on plagiarism and its consequences are at the discretion of the AMUN Secretariat.

## 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, Councils and Commissions 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, Councils and Commissions 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 Fourth Committee may discuss the plight of the Palestinian refugees. 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 Committees, Councils and Commissions, leaving other aspects to others in their delegation to address in the appropriate forum.

## Introduction to the Security Council

Representatives of the Security Council should note that the agenda provided is only provisional and represents a fraction of the issues the Security Council discusses. Any issue regarding international peace and security may be brought before the Council. Many topics listed in this guide will change significantly before the conference. Additional topics may be added as necessary or as the Council sees fit.

For this reason it is highly advised that representatives have a broad knowledge base regarding current events in the international community. Periodicals and online sources are some of the best sources available for day-to-day updates. Recommended sources include among others: *The New York Times*, *UN Chronicle*, *The Times of London*, *Al Jazeera*, *Mail & Guardian*, *Foreign Policy* and the *Economist*. The UN Foundation's online daily newsletter, UN Wire, is also an excellent resource for timely information.

Whenever possible it is also recommended that representatives stay abreast of the most recent report(s) published by the Security Council and other relevant UN bodies. These can be found via the UN homepage under the Security Council section. Please note that the bibliographies for these topics focus primarily on UN sources with some news sources provided for background on certain aspects of topics.

Unlike many other simulations, Security Council members are able to make declarative statements and operational decisions that will change the course of the simulation. It will be the job of Council Representatives to actively involve their country's national policies and national capabilities in solutions to the problems throughout the simulation. While AMUN Simulation Staff will frequently consult with Council members, Representatives are welcome and encouraged to make whatever declarative statements—including real or implied threats and deals—that do not carry operational implications outside of the UN. Representatives must, however, always consult with the Simulation Staff before making ANY operational decisions. Operational decisions would include announcements of the movements or actions of military forces, as well as any other actions that 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 Member States(s).

## Other Involved Countries

From time-to-time, other countries will be involved in the deliberations of the Contemporary Security Council or one of the Historical Security Councils. Delegations representing these countries, if present at AMUN, will be asked to participate in deliberations by the body, if they are not present or choose not to participate in deliberations an AMUN staff member will represent them as necessary. It is customary for the Council to request the presence of relevant Member States during discussion of topics, however it is not required. Any nation mentioned in the background research for a specific Security Council is a potential candidate for an outside participant in the Council as well as any related to any topic of relevance to international peace and security. For delegations that may be asked to appear before one of the

Historical Security Councils 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, preferably with a second Representative who can cover that Committee while they are away. A floating Permanent Representative would also be ideal for this assignment. All 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.

## A Note About Historical Security Councils

AMUN's HSCs are unique not only in their topics, but also in their 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 roleplaying for an HSC Member State will be not just a routine replay of national decisions as they evolved in that year. 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 took in that year was necessarily the wisest. While rote 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 musing of foreign ministers and heads of state pining for second chances.

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 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. One major factor in whether to be actively involved or to be a bystander which Representatives must consider, is the costs of involvement by the United Nations. The increase in costs often causes the Security Council to reprioritize their 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.

Representatives should approach these issues based on events through the final days of the previous year and should do their research accordingly. In studying their roleplaying assignments, it is strongly recommended that research be done on these topics using timely materials. The world has changed dramatically over the years, but none of these changes will be evident within the chambers of the HSC. While histories of the subject will be fine for a general overview, Representatives should peruse periodicals from 3-5 years prior to the year in question 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, which can be useful for general information.

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 roleplaying 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 home office of the involved nation(s).

## OPEN ISSUES

A unique feature of the Security Councils in simulations at AMUN is the ability to set its own agenda. This allows that, in addition to the situations outlined in the council specific topic guides on the following pages, the Security Councils can discuss any topic that the body wishes. For the contemporary Security Council this includes any real-world event up until the day the simulation convenes. For the Historical Security Councils, representatives should have a working knowledge of the events prior to and including the start date for their respective simulation. For the Historical Security Council of 1956, the start date is 18 June 1956. For the Historical Security Council of 1994, the start date is 07 January 1994.

For the time periods in question open issues could include any active UN peacekeeping operations, the work of any UN body active at the time, and any social or economic issue of the day. It is *strongly recommended* that all Representatives be well versed on current and historical global events relevant to their simulation.

## BACKGROUND RESEARCH

The following are brief synopses of the main international situations facing the Security Councils. For the contemporary Security Council these briefs are current as of spring 2013. Information for the Historical Security Councils covers information available up until the respective start dates of each simulation (HSC-1956 - 18 June 1956; HSC-1994 - 07 January 1994). It is recommended that representatives have a solid foundational knowledge of the background of major international issues. The topics laid out in this handbook are provided as a starting point for further research.

# THE CONTEMPORARY SECURITY COUNCIL

For each topic area, Representatives should consider the following questions. These questions should assist Representatives in gaining a better understanding of the issues at hand, particularly from your country's perspective:

- How did this conflict begin? Is this a new conflict or a re-ignition of a previous conflict?
- How have similar situations and conflicts been solved peacefully?
- What States and regional actors are involved in this conflict?
- If there are non-State actors involved in a conflict, are there any States supporting them? If so, which ones?

## THE SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

The Great Lakes region has seen nearly perpetual violence from civil wars, ethnic conflicts and military interventions over the last 20 years. Although the Second Congo War (1998-2003) ended a decade ago, the mineral rich eastern part of the Democratic Republic of the Congo (DRC) has been vulnerable to spill-over violence and rebel groups receiving disclaimed support from neighboring states. Military intervention, intended to combat these rebel groups, has often created more problems than they have solved; more civilians have been killed as a result of this intervention than those killed by rebel groups.

During the Second Congo War the Security Council established the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to monitor the cease-fire agreements between warring factions within the DRC. As foreign armies pulled out of the DRC, violence increased as militant domestic factions evolved, merged and split over time. This ultimately created significant instability in the eastern provinces of Orientale, North Kivu, and South Kivu. The shifting security situation required greater peacekeeping forces over time, and the MONUC mandate shifted from monitoring cease-fires and the withdrawal of military forces to protecting civilians and monitoring human rights abuses. Eventually the mandate shifted further, including active pursuit of armed groups operating within the DRC as well as supporting the Congolese army, Forces Armées de la République Démocratique du Congo (FARDC).

MONUC discovered evidence that mass murders had occurred in the eastern DRC. This led the Secretary-General to create a mapping exercise aimed at finding the most serious human rights and humanitarian violations that had taken place. Conducted between 2008 and 2009, the exercise found reasonable suspicion that over 600 violent incidents, most of which had multiple victims, had occurred during the ten-year civil war and each of these incidents pointed to "the possible commission of gross violations of human rights and/or international humanitarian law." This exercise also found that foreign forces had played significant roles in many of the violent incidents.

In July 2010, the United Nations Organization and Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) replaced MONUC. The change was largely symbolic, emphasizing the political aspects of the mandate. The change also reinforced the Mission's mandate to support the DRC government and its efforts to aid in the political stabilization and peace efforts in eastern DRC following normalization of relations with its neighbors.

Even given the cooperation between MONUSCO and FARDC, many militant groups continue to perpetrate violence, especially in eastern DRC. In late 2012, M23, a group that had splintered from the formerly strong rebel group National Congress for the Defence of the People (CNDP), launched an offensive that led to the conquering of Goma, the provincial capital of North Kivu that lies on the border with Rwanda. Reports on M23 have tied it to Rwanda to varying degrees, though the government of Rwanda has been quick to deny these claims. While M23's occupation of Goma was brief, the Security Council still passed resolution 2076 condemning the occupation.

Following this aggression, leaders from eleven regional nations signed a Peace, Security and Cooperation Framework in early 2013 aimed at creating a lasting peace in the region. Neither M23 nor any other rebel groups were involved in the negotiations leading to this Framework. Experts have expressed doubt that the Framework will actually create the lasting peace that it aims to achieve. Shortly thereafter Bosco Ntaganda, military chief of staff from the CNDP voluntarily presented himself to the U.S. Embassy in Kigali, Rwanda, asking to be transported to the International Criminal Court to face the charges against him.

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## THE SITUATION IN MALI

The Situation in Mali began in early 2012, escalated throughout the year and featured the introduction of foreign military forces in early 2013. The conflict initially began as a rebellion of Tuaregs, largely within the National Movement for the Liberation of Azawad (MNLA) many of whom are veterans from both sides of the Libyan Civil War. Near the start of the conflict, Malian President Amadou Toumani Touré was overthrown in a coup d'état by the Malian military. The military installed Prime Minister Cheick Modibo Diarra, only to remove him in a second coup d'état in December of that same year.

The conflict between the separatist Tuaregs, who declared independence for Azawad, an area comprising approximately 60 percent of Mali, and the government of Mali began as a two-sided conflict, but over the following year, the conflict became more complicated as rebel groups fractured and other groups entered the conflict. Islamist forces also joined in the fighting, seeking to create an independent Azawad based on Sharia law. The situation spilled over the border into Algeria, with an Islamist group attacking a gas facility, taking dozens of workers hostage. This situation ended with over sixty dead.

In December 2012, the Security Council passed resolution 2085, which authorized the African-led International Support Mission in Mali (AFISMA) composed of neighboring nations that are members of the Economic Community of West African States (ECOWAS). Following this authorization, but before AFISMA deployment, France, with help from European allies and the United States, contributed troops to assist the government of Mali. International involvement has encouraged the initial Tuareg separatists to both begin negotiations with the Malian government and fight against Islamist rebels.

Resolution 2085 was followed in April 2013 by Resolution 2100, which switched AFISMA from an African operation to the UN-led United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). MINUSMA took over on 1 July 2013. With the increase in troops from African governments, France began to withdraw its troops in April. The government of Mali has encouraged France to delay its drawdown.

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## THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC

Late 2012 saw the destruction of nearly a decade of stability when a loose coalition of rebels, calling itself Séléka, began an offensive against President François Bozizé. In January 2013, the Economic Community of Central African States held peace talks that resulted in a declaration of principles, ceasefire and political agreement that has become known as the Libreville Agreements. One outcome of the agreement was a national unity government composed of members of Séléka and those loyal to President Bozizé. This government lasted a few short months; fighting quickly resumed and President Bozizé was ousted on 24 March 2013.

Michel Djotodia, who was First Deputy Prime Minister for National Defense in the unity government and a prominent leader of Séléka, declared himself President, suspended the constitution and dissolved the unity government. The African Union Peace and Security Council condemned the seizure of power, while the United Nations Security Council released a statement calling for the Libreville Agreements to continue to be the framework for a peaceful solution.

Mr. Djotodia has spent the time since then solidifying his hold on power. He initially appointed a National Transitional Council that appointed him "Head of the Transition." The composition of this council was challenged by the Economic Community of Central African States, which called for the Council to be larger and more inclusive. The people of the Central African Republic, including members of Séléka and other opposition groups, have protested, leaving the capital city of Bangui in a state of turmoil.

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### THE SITUATION IN SUDAN

The Sudanese Civil War, which ended in 2003, left two million dead, four million internally displaced, and six hundred thousand refugees. Hostilities between the Sudanese government and the Sudanese Peoples Liberation Movement/Army have continued. Since 2004, the United Nations Advance Mission in the Sudan has been attempting to ease tensions in the region and deal with the aftermath of the war, including the situation in Darfur. South Sudan officially became independent on 9 July 2011; however, independence has done little to stabilize the situation in the region.

Currently there are three peacekeeping missions in the Sudan: United Nations Mission in Darfur (UNAMID), United Nations Mission in the Republic of South Sudan (UNMISS), and United Nations Interim Security Force for Abyei (UNISFA). The situation on the ground has improved in Darfur, which has led to a recommendation for a UNAMID troop reduction. The security situation in Abyei has also largely improved since the deployment of UNISFA. However, while the immediate security situation has stabilized within Abyei, both Sudan and South Sudan are in direct violation of the 20 June 2011 Agreement on Temporary Security and Administrative Arrangements for the Abyei Area and have failed to remove their armed forces from Abyei. No political progress has been made toward the resolution of the final status of Abyei. The security improvements in Darfur and Abyei, however, have come at a time of increased conflict along the North-South border.

On 24 April 2012, the African Union issued a three-month deadline for resolving the long-standing disputes in the region. At its expiration the parties would be forced into binding international arbitration. Soon after, the United Nations Security Council took action on the issue, reinforcing the African Union Peace and Security Council's roadmap for peace as well as demanding that Sudan and South Sudan address key issues of dispute: oil revenues and transit fees, status of nationals living in the other country, resolution of disputed and claimed border areas and the final status of Abyei. The UN Security Council gave these demands additional force with the threat of the use of Article 41 if the parties failed to comply.

Following the signing of a non-aggression pact at talks on outstanding secession issues and a later commitment by Sudan to pull its troops out of the border region of Abyei, negotiations were held in June 2012 in an effort to comply with the African Union roadmap and Security Council resolutions 2046 and 2047, calling for the establishment of the Safe Demilitarized Border Zone (SDBZ), the formation of the Ad Hoc Committee and activation of the Joint Border Verification and Monitoring Mechanism (JBVMM). At these talks Sudan and South Sudan agreed to activate the JBVMM and to create an Ad Hoc Committee. Throughout this time, cross-border attacks continued from both sides of the border.

The parties met again in September 2012 and signed agreements that finally delineated the SDBZ and fully activated the JBVMM. Finally, the parties met again on 19 March and 22 April 2013 under the JBVMM, outlining the timeline of withdrawal of forces from the SDBZ and the control of police forces and communities on their side of the Border Zone.

Despite all of the progress through the latter part of 2012 and early 2013, some 655,000 people have been displaced by the fighting between the army and rebels in states bordering South Sudan. Even though the two states struck a last minute deal on South Sudan's export of oil via pipelines that transect Sudan, the parties continued to accuse each other of maintaining an armed presence inside the Border Zone and clashes with rebels in Darfur and the South Kordofan region continue. The accusations culminated in Sudan informing South Sudan that it would freeze all oil and economic agreements and stop allowing oil to flow through the two export pipelines in its territory.

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## THE SITUATION IN SYRIA

The unrest in the Syrian Arab Republic has continued for over two years despite attempts by the international community to quell the violence and bring about a return to normalcy for the citizens of Syria. The United Nations High Commissioner for Refugees has reported that over 1.4 million refugees have fled Syria and 2.5 million are internally displaced.

Syrian President Bashir al-Assad has been in power since the death of his father in 2000. He has claimed that the opposition is largely due to enemies from outside Syria. Despite occasional signs of consolidation, the opposition has been split since just about the beginning. The Free Syrian Army is the largest opposition military group and maintains an affiliation with the National Coalition for Syrian Revolutionary and Opposition Forces. Both groups are largely Sunni Muslim, which is the majority religion in Syria. Kurdish rebel groups also are fighting throughout Syria. The Kurdish people have been oppressed for many years inside Syria; many were stripped of their passports in the 1960's, forced to live as stateless people.

Thus far, the work of the Joint Special Envoy from the League of Arab States and United Nations Secretary-General Ban Ki-moon has largely proven fruitless. Former Secretary-General Kofi Annan was appointed to this position on 23 February 2013. Mr. Annan introduced a six-point plan that required both sides to actively work toward peace. After the passage of United Nations Security Council Resolution 2043 on 21 April 2013, which established the United Nations Supervision Mission in Syria (UNSMIS), a mix of civilian and military observers entered Syria, ushering in a brief ceasefire.

By the second month of the UNSMIS deployment fighting had expanded beyond pre-ceasefire levels. UNSMIS saw its activities constantly hampered by both the government of President Bashir al-Assad and opposition forces. As the initial 90-day mandate for UNSMIS drew close to expiring with fighting only having intensified, the Security Council passed Resolution 2059, allowing UNSMIS 30 days to wind down its operations. Shortly thereafter Mr. Annan resigned from his position as Joint Special Envoy.

The second Joint Special Envoy, Lakhdar Brahimi, has had similar levels of success as his predecessor. Fighting has continued to escalate, with heavy weapons such as cluster bombs, rockets and gunships becoming de rigueur.

The latest concerns have centered upon the potential and rumored use of sarin and other chemical and biological weapons by one or both sides of the conflict. U.S. President Barack Obama stated that he had evidence that chemical weapons had been used, but that it was inconclusive as to which side had used it.

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## THE SITUATION IN THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

The Korean War ended by truce, not by peace treaty, in 1953. Since that time a demilitarized zone has been in effect between the two countries. In June 2000, the Democratic People's Republic of Korea (DPRK) and the Republic of Korea signed an accord to ease military tensions and promote economic cooperation. Cooperation has been slow, especially after an early research effort by the DPRK using uranium caused problems in 2002. At the time, the DPRK said it was only using plutonium to try to build atomic bombs. This led to the Six Party Talks in 2003, which included the Democratic People's Republic of Korea, the Republic of Korea, Japan, China, Russia, and the United States. The countries involved in the Six Party Talks managed to offer the DPRK formal economic assistance in return for taking steps to end its nuclear weapons development.

Between 2006 and 2009, the DPRK launched ballistic missiles, conducted nuclear tests, announced it would begin uranium enrichment and weaponizing its plutonium stockpiles, and declared the truce that ended the Korean War void. These actions were met by increasingly more severe condemnations and sanctions by the international community and the Security Council. The DPRK complied with Security Council Resolution 1718, which condemned missile tests and demanded that the DPRK return to the Six Party Talks and retract its announcement of withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Security Council Resolution 1874, which condemned a nuclear test and further missile launches, demanded the return of the DPRK to the NPT and the IAEA Safeguards Agreement and strengthened the sanctions imposed under Resolution 1718.

On 17 December 2011, Kim Jong-il suffered a fatal heart attack and his son Kim Jong-un was hailed as the "Great Successor." Kim Jong-un formally took over ruling party leadership in April 2012. The DPRK immediately conducted a long-range missile test, subsequently withdrawing from an agreement prohibiting such tests. In response to an October 2012 missile deal between the Republic of Korea and the United States, the DPRK announced that it had missiles that could hit the mainland of the United States and followed up this threat with a widely condemned launch that put a satellite into orbit.

On 12 February 2013, the DPRK state media announced that it had conducted an underground nuclear test, resulting in an explosion measured to be twice as large as the 2009 test. The Security Council immediately followed the test with a new range of sanctions targeting cash transfers and diplomatic travel. Further ratcheting up tensions, the DPRK announced it would respond to the new sanctions by restarting all facilities at its Yongbyon nuclear complex and withdrawing its workers from the South-Korean-funded Kaesong joint industrial park. The DPRK rejected later offers of talks to reduce tensions and described it as a "crafty trick" to disguise Seoul's hostility.

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# THE HISTORICAL SECURITY COUNCIL OF 1956

## HISTORICAL SECURITY COUNCIL OF 1956

The 2013 American Model United Nations Historical Security Council (HSC) will simulate the events of the world beginning on 18 June 1956. The key international security concerns of this time revolve around the situations in the Middle East in relation to the General Armistice Agreements; the treatment of ethnic groups in South Africa; issues of colonialism, human rights, and self-determination in Algeria, Cyprus, West Irian, and many other areas seeking independence; and military clashes, territorial disputes, and disputes over UN representation continue between the two Chinas. As it has for years, the Cold War between the United States and the Soviet Union permeates international politics and remains a constant undercurrent in how world affairs are seen and handled.

In 1956, Dag Hammarskjold was the Secretary-General of the United Nations, Dwight Eisenhower, the US President, and Nikita Khrushchev, the Soviet Premier. The Shah's government was in power in Iran, Batista's Cuba was in the American sphere of influence, and the Republic of China (on Formosa/Taiwan), rather than the People's Republic of China, was officially represented in the United Nations. During this decade, Cold War tensions grew, decolonization created a plethora of new States and membership in the United Nations subsequently expanded by leaps and bounds. Issues of "Palestine" revolved around continued violations of the General Armistice Agreements that followed the 1948 Arab-Israeli War, and the only issues involving "Palestinians" were regarding their status as refugees. There were numerous "internal" conflicts in this time period (including South Africa, Algeria and Morocco), but most never reached the Security Council or were discussed with no action taken, due to the powerful patronage of one or more of the Permanent Members.

From time to time, other countries will be involved in the deliberations of the HSC. Some of the delegations that may be called before the HSC include: Israel, Egypt, Syria, Lebanon, Jordan, South Africa, Algeria, Greece, Morocco, Hungary and India.

The following are brief synopses of select international situations facing the Security Council in mid-1956. The prominent events of late 1955 and early 1956 are discussed, as well as some of the questions that will face the Security Council in the latter half of the year. The briefs provided are intended merely as starting points for Representatives' continued exploration of the topics. Any issue on the world scene in 1956 is fair game for discussion in the Historical Security Council; the following topic brief list is not considered to be all inclusive regarding topics that the Council may face. At AMUN Representative actions as well as Simulation Directors shape the flow of the simulation and the topics brought before the Council.

Therefore, it is highly recommended that Representatives have a broad historical knowledge of world affairs as they stood prior to 18 June 1956.

For each topic area, Representatives should consider the following questions. These questions should assist Representatives in gaining a better understanding of the issues at hand, particularly from your country's perspective:
- Should the U.N. be involved in the situation? If yes, what role can the U.N. play in the situation?
- How can regional organizations be utilized?
- Does your government feel that this situation is a threat to international peace and security?
- What are your government's interests in the region?

## THE PALESTINE QUESTION: INCIDENTS ON LAKE TIBERIAS

Incidents on the disputed Lake Tiberias, located along the 1949 Armistice line between Syria and Israel, were the basis of conflicts between Syria and Israel in 1955 and early 1956. In December 1955, Israeli armed forces attacked Syrian civilians and military personnel on the shores of Lake Tiberias from both the land and sea. In response, Syria brought the matter to the attention of the Security Council in December 1955.

These attacks were documented by United Nations Truce Supervision Organization in Palestine (UNTSO) personnel stationed in the region. The UNTSO reports noted that Israel deliberately violated provisions of the General Armistice Agreements (GAA) by engaging in government-authorized military operations in the lake region. The report also noted, however, that Syrian authorities had, over the past year, interfered with legitimate Israeli commercial and civilian activities on the lake in violation of the GAA provisions. Israel claimed this violation as the basis for its military actions in December, but was rebuked by both the UNTSO report and the Security Council.

On 19 January 1956, the Security Council passed Resolution 111 (S/3538) condemning Israel for its attacks on Syria and calling for a cessation of hostilities and return to the terms of the GAA. The resolution passed unanimously, and all members of the Council also verbally condemned the Israeli attacks. While hostilities remain high in the region, no further attacks have been noted.

## THE PALESTINE QUESTION: STATUS OF COMPLIANCE WITH ARMISTICE AGREEMENTS

The most difficult question facing the Council in 1955- 1956 involved the overall status of compliance with the GAA, in particular issues arising along the Egyptian and Israeli borders. Throughout 1955, the Council discussed this aspect of the Palestine Question, focusing on Israeli and Egyptian military incursions into the Gaza Area, which was formally laid out in the GAA as a demilitarized zone (DMZ).

On 29 March 1955, the Council passed Resolution 106, which condemned attacks by the Israeli regular military against Egyptian regular military forces in the Gaza area. With tensions heightening, on 30 March the Council also passed Resolution 107, requesting the assistance of the UNTSO Chief of Staff in facilitating consultation with the governments of both parties on ways to lessen the strain in the area and maintain the Armistice provisions. Following the apparently successful efforts of the Chief of Staff in negotiations with Israel and Egypt, the Council on 8 September also passed Resolution 108 (S/3435), calling for a ceasefire, which had already been accepted by the parties, and the free movement of UN observers in the Gaza area. While steps taken by the Council in 1955 led to verbal declarations of reduced hostility, tensions remained high along the lines of demarcation moving into 1956.

Throughout March and April of 1956, the Council held six discussions regarding compliance with Armistice Agreements. Egypt, Israel, Jordan, Lebanon and Syria were invited participants in these discussions. The general consensus among Council Members at this time was that commitments by the parties to reduce tensions had not been carried out, and that further actions were needed. On 4 April 1956, the Council adopted Resolution 113 (S/3575) on these issues. This document requested the Secretary-General's (SG) assistance in completing an "enforcement survey" of the GAA provisions, and in seeking discussions by all parties to adopt already accepted GAA measures. It also requested the withdrawal of all forces to the demarcation lines specified in the GAA, the continued freedom of movement of observers, and the creation of local arrangements, in each area, for the prevention of future incidents. The Council realistically noted the improbability of full compliance with the GAA, but stressed the importance of all parties' attempts to comply whenever possible.

From 10 April through 3 May 1956, Dag Hammarskjold traveled to all of the countries involved in the Armistice Agreements, seeking the cooperation requested by the Council. In his reports of 2 May and 9 May, the SG noted that he regarded his mandate to include negotiations between the parties to re-establish full compliance with the Armistice Agreements, and he also reported generally positive results. While the Council had not specifically sought to include the SG in negotiations, they did respond positively to the results of the trip.

The SG's reports noted that, while all parties accepted the GAA provisions as in their overall best interests, political and practical circumstances had led to the current state of affairs in the region. Namely, mutual mistrust, combined with an inability to guarantee compliance by any given party, was contributing greatly to tensions, which all parties stated they would rather avoid. The SG received personal assurances from each party that they would unconditionally observe the cease fire clauses in the GAA and subsequent Council resolutions, reserving only the right to self-defense. This specifically included the idea that the parties would not respond with military force to anything less than an attack by the regular military of another party.

As a show of good will on this issue, the SG also reported that Egypt and Israel, on 18 April, both gave strict orders to abide by ceasefire assurances, which served to relieve tensions along the Gaza demarcation line. Additionally, Egypt and Israel provided specific assurances that they would seek to actively prevent crossing of the demarcation lines, including both the Gaza DMZ and the contested El Auja region, in which both sides had a military presence in violation of the GAA provisions.

The SG noted two key issues left unanswered by his trip. The first was the issue of Egyptian interference in Israeli shipping through the Suez Canal and the Straits of Tiran. This issue was first raised in September 1951, and was still on the table through early 1956. Major concerns included the harassment of Israeli vessels as they passed through the area and the potential that Egypt might block access to this vital shipping lane. The second unanswered issue involved a recent Israeli plan for diversion of the Jordan River, which would be disastrous for Jordan and another likely precursor to renewed conflict in the region.

On 4 June 1956, the Council passed Resolution 114, commending the SG on this report, endorsing the view that full compliance with the GAA provisions as the key to peace in the region, and asking the SG to continue his Good Office efforts to ensure the cease fires and bring the parties closer to full Armistice compliance in the future.

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## The Situation in Algeria

In April 1956, seventeen Asian and African Member States brought before the Security Council a request to discuss the situation in Algeria. While the issue was ultimately not brought to the floor, the question within the Council centered on the body's competency to discuss an issue described by France as an internal issue within the purview of France's domestic jurisdiction. The French assertion of the situation in Algeria was disputed by many as a threat to peace involving the flagrant violation of human rights and violation of the Algerian people's right to self-determination. While the topic was being discussed prior to a vote on adding the item to the agenda, debate focused on France's policy of repression and extermination of Algerian people including a possible violation of the Genocide Convention. A significant increase in troop numbers from approximately 150,000 in 1955 to over 400,000 in 1956 was cited as a significant "threat to peace."

France however maintained that consideration of the situation in Algeria would violate the UN Charter declaring the situation in Algeria an internal matter. After its conquest in 1830, Algeria was incorporated as a department of France, which meant that France considered Algeria to be an integral part of France rather than a mere colony. The French government asserted that its occupation of Algeria began at a time when no other government was recognized as having sovereignty over the territory and no other State had challenged its claim to the territory in over 120 years.

On 18 June 1956 a letter was submitted by the Secretary General to the Council on behalf of 13 Member States requesting reexamination of the topic of Algeria, citing "grievous loss of human life" due to recent French military actions.

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## The Situation in South Africa

The treatment of peoples of Indian origin and the issue of Apartheid in South Africa are two of the issues the UN has confronted. The deteriorating racial situation in South Africa along with the government's public refusal to redress the issues, created a difficult situation for the UN. Although the topic has been primarily discussed by the General Assembly, the Council has monitored the situation for possible international repercussions arising out of the Bantu Education Act (1953), Separate Registration of Voters Act (1951), and other public policies. While the Security Council has taken no official action on either issue, it has monitored the political situation closely. Political changes within opposition groups to the South African government may provoke violence as both groups seek equality.

To date, outside of debating the issue, the UN has not gone further than attempting to create an atmosphere that would facilitate resolution of the matters through diplomatic discussions and encouraging South Africa to observe its obligations under Article 56 of the UN Charter.

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## The Question of the Representation of China

Since the inception of the United Nations, the Republic of China has held the official Chinese seat, including in the Security Council. The rise of the People's Republic of China on the mainland, however, has raised questions about the legitimacy of this arrangement. This issue has been most strongly stressed by the Soviet Union in discussions before the Council. First discussed in January of 1955, the Council invited a representative of the central government of the People's Republic of China to participate without a vote in the Council's discussion of the issue.

The issue is complicated by continued acts of violence between the forces of the two Chinas in 1955. These actions included raids by the Republic of China into the People's Republic of China and the shelling and seizure of disputed islands by the People's Republic of China. While the military situation has stalemated due in part to nuclear brinkmanship between their respective supporters in the USSR and USA, tensions remain high. To date, the Council has decided to take no action on seating the People's Republic of China, and the Republic of China retains UN representation.

## The Situation in West Irian (West New Guinea)

West Irian (West New Guinea) is one of many colonial disputes in the world accompanied by minor international hostilities. A colonial possession of the Netherlands, the political status of West Irian is currently an object of contention between Indonesia and the Netherlands. Indonesia feels that West Irian should either be ceded to Indonesia, or given the right of self-determination, and some hostilities have arisen over the issue.

## The Situation in Cyprus

Cyprus is another colonial territory embroiled in a dispute over the right to self-determination. This colony of the United Kingdom, with a significant Greek population, is currently seeking independence from the UK. This has so far been denied due to the island's significance as a military base in close proximity to the Middle East. Incidents which most concern the Security Council include a rise in terrorism on the island, attacks on police, military, and government installations

apparently incited by Greece against the UK government on Cyprus, and continued calls by Greece and peoples inside Cyprus for the right to self-determination.

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## Admission of New Member States

With many former colonial territories gaining independence, and more expected in 1956, the Security Council has been dealing with the issue of admitting new Member States to the United Nations. In 1955 alone, Resolution 109 (S/3509) of 19 December recommended the admission of sixteen new members to the UN: Albania, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Laos and Spain. The question was again addressed with Resolution 112 (S/3546) on 6 February 1956, recommending the admission of Sudan. The recent independence of Morocco and Tunisia may also lead to their request for admission in the near future. It should be noted that, following the submission of a request for admission to the Secretary-General, potential Member States must be recommended by the Security Council before they can be accepted into the UN by a vote of the General Assembly.

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Please note: The books and documents listed below provide both contemporary and historical information on the years 1955 and 1956. Any information provided for dates after 18 June 1956 will not be considered factual or appropriate in debates before the Council. It is strongly recommended that representatives to the Historical Security Council consult period materials, especially from late 1955 and the first half of 1956. These might include the *UN Chronicle*, the *New York Times*, *Time* magazine and similar sources.

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# THE HISTORICAL SECURITY COUNCIL OF 1994

## MEMBERS OF THE HISTORICAL SECURITY COUNCIL OF 1994

| | | |
|---|---|---|
| ARGENTINA | FRANCE | RUSSIAN FEDERATION |
| BRAZIL | NEW ZEALAND | RWANDA |
| CHINA | NIGERIA | SPAIN |
| CZECH REPUBLIC | OMAN | UNITED KINGDOM |
| DJIBOUTI | PAKISTAN | UNITED STATES OF AMERICA |

## HISTORICAL SECURITY COUNCIL OF 1994

The 2013 American Model United Nations Historical Security Council (HSC) - 1994 will simulate the events of the world beginning on 7 January 1994. Historically, the key international security concerns at this time revolved around the unrest in Somalia, Rwanda and the former Yugoslav Republic. From time-to-time, other countries will be involved in the deliberations of the HSC. Some of the delegations that may be called before the HSC-1994 include Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Slovenia, Somalia, Uganda, Georgia and Haiti.

The following are brief synopses of the main international situations facing the Security Council on 7 January 1994. The prominent events of 1993 are discussed, as well as some questions that 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. Any issue on the world scene in 1994 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 6 January 1994.

For each topic area, Representatives should consider the following questions. These questions should assist Representatives in gaining a better understanding of the issues at hand, particularly from your country's perspective:
- Should the U.N. be involved in the situation? If yes, what role can the U.N. play in the situation?
- How can regional organizations be utilized?
- Does your government feel that this situation is a threat to international peace and security?
- What are your government's interests in the region?

## THE SITUATION IN RWANDA

In 1962, Rwanda became independent from Belgian colonial rule, organized as a one-party state controlled by the Hutu-dominant government. The new Rwandan government continued discrimination and ethnic quotas created by the colonial powers in employment and education against the Tutsi ethnic group. In response, Tutsi refugees in Zaire and Tanzania began attacking Hutus. The government reacted strongly with violence against Tutsi-guerilla reprisals. In 1973, General Juvenal Habyarimana took power of southern Hutus over the northern Hutu faction, and promised to restore peace, national development, and unity. However, preferential treatment of Hutus aggravated the ethnic tensions throughout the following years. By the end of the 1980s, nearly 500,000 Tutsis sought refuge in neighboring Burundi, Uganda, Zaire and Tanzania.

In the late 1980s, individuals from the Tutsi refugee diaspora in Uganda created the Rwandan Patriotic Front (RPF) as a political and military organization to reform the Rwandan government and return Tutsi refugees to Rwanda. Members of the RPF blamed the government for its failure to democratize and to resolve the refugee problem. On 1 October 1990, a force of 7,000 RPF troops launched a major attack from the safe haven of Uganda onto Rwandan Armed Forces (RAF). Despite their small numbers, the RPF troops' prior military experience in the Ugandan civil war allowed them to make significant gains against the Hutu forces.

As ethnic tensions increased, Tutsis inside Rwanda and moderate Hutus were labeled accomplices of the RPF, and designated traitors by the government. Violence from the civil war and reprisals from the RAF increased tension and caused many civilian deaths. The Rwandan government sought military and financial assistance from Belgium, France and Zaire in response to the RPF attacks. The RAF launched a counter-offensive with heavy military equipment but the RPF was unable to sustain a long-term campaign.

France, the United States and the Organization of African Unity organized peace talks in Arusha, Tanzania, on 12 July 1992. An early agreement from these talks set a timetable for ending the fighting, promoted further peace-talks between parties, addressed the repatriation of refugees, and authorized the Organisation for African Unity (OAU) to act as a neutral military observer. The Arusha Accords concluded on 4 August 1993 with a final agreement calling for a democratically-elected government, the formation of a transitional government consisting of power sharing between the current government and the RPF until elections were held and the repatriation of refugees. The Arusha Accords caused an open split among Hutus in power, with radical Hutu groups opposing the Habyarimana government, leading to government formed and trained Hutu militias known as the Interhamwe which, with other radical Hutu militias, conducted organized campaigns to kill Tutsi civilians and Hutu moderates.

In June 1993, the Security Council established the United Nations Observer Mission Uganda-Rwanda (UNOMUR) with the purpose of verifying that no military assistance reached Rwanda over the northern Ugandan border. In October 1993, the Security Council established the United Nations Assistance Mission for Rwanda (UNAMIR) in Resolution 872 to aid in the implementation and monitoring of the Arusha Accords and to support the transitional government for an initial period of six months. UNAMIR's headquarters became operational on 1 November 1993. Shortly after arriving, UNAMIR Commander General Romeo Dallaire informed UN officials that there was the potential for large-scale, serious violence in Rwanda. However, UN officials did not respond.

On 10 December 1993, the Rwandan government, the RPF, and the Special Representative of UNAMIR issued a joint declaration reaffirming their commitments to the Arusha Accords, and agreed to set up a broad-based transitional government before 31 December 1993. On 20 December 1993, the Security Council passed Resolution 891 extending UNOMUR's mission for six months.

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## The Situation in Bosnia-Herzegovina

In 1946, the Socialist Republic of Bosnia and Herzegovina became a constituent republic of the Federal People's Republic of Yugoslavia, which governed numerous ethnic groups. After the death of President Joseph Tito in 1980, Yugoslavia quickly plunged into political and economic turmoil. Ethnic unrest spread, and the republics of the Social Federal Republic of Yugoslavia (SFRY) began to declare their independence. Bosnia-Herzegovina seceded from SFRY and became an independent state on 3 March 1992. However, Bosnia-Herzegovina's declaration of independence was opposed by Bosnian Serbs and the Serbian-controlled federal government of Yugoslavia. Following Bosnia-Herzegovina's declaration of independence, ethnic groups previously incorporated under the SFRY began to wage war upon one another in an effort to gain territorial control within the former Yugoslav territory.

When Bosnia's independence was recognized by the European community and the United States, Serbian National Forces immediately began strikes upon Sarajevo, the newly-declared capital of Bosnia-Herzegovina. Over the next several months, the Serbian National Forces gained control over nearly two-thirds of Bosnian territory. As part of their attacks, Serbian forces drove out nearly all of the non-Serbians in the Serbian controlled areas, creating a large displaced persons and refugee population. Additionally, reports of ethnic violence against Bosnians and Croats began surfacing.

Accordingly, the UN passed Resolution 743 on 21 February 1992, which created the United Nations Protection Force (UNPROFOR) with the purpose of promoting peace talks and maintaining peace in UN safe-zones and no-fly zones. Initially, UNPROFOR redirected observers from other parts of Yugoslavia to Bosnia, but later brought in additional observers. Although UNPROFOR was able to achieve some success, the continued fighting led to a series of economic sanctions against all of Yugoslavia in May 1992. Through a series of resolutions, the Security Council imposed stricter sanctions prohibiting all import, export, and transportation of weapons and military equipment to Yugoslavia; the embargo excluded weapons and military equipment intended for UNPROFOR.

The UNPROFOR mandate was expanded by a series of resolutions passed in October and November 1992. These resolutions aimed to bring stability to Bosnia by deploying additional observers and limiting military flights to only those that were part of the UNPROFOR mission. By March 1993, fighting had increased in eastern Bosnia, with Serb military forces attacking civilian populations and interfering with humanitarian operations. Fighting intensified as Muslims from surrounding areas were driven into the town of Srebrenica by Serbian military forces.

The large populations of Croats and Serbs further complicated the ethnic tension in Bosnia-Herzegovina, after the Croat-Serb war began in 1991 upon Croatia's declaration independence. In May 1993, Muslim and Bosnian Croat forces were in a tenuous alliance against Serb forces when fighting erupted in central Bosnia. The fighting interrupted main supply routes to northern Bosnia and disrupted UNPROFOR operations. Secretary-General Boutros Boutros-Ghali stated that a significant lack of funding for UN missions threatened to interrupt necessary day-to-day operations in the coming months. On 4 October 1993, the Security Council extended the UNPROFOR mandate for an additional 6 months to 31 March 1994. In November 1993, the Security Council issued statements noting its concern that the increasing military actions posed significant threats to the civilian population and demanding that the attacks stop. Numerous peace plans and cease-fires were signed in November 1993, but failed to curb fighting and stop attacks on UNPROFOR.

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## THE SITUATION IN SOMALIA

Throughout the 1970s and 1980s, war with Ethiopia as well as the actions of the corrupt Siad Barre regime decimated the Somali economy through military spending and foreign debt. Increasingly oppressive tactics including jailing and the disestablishment of clanism by government caused the Somali population to grow dissatisfied. Civil war erupted with opposition groups overthrowing the Barre government in 1991. In November 1991, Somalia's interim president Ali Mahdi Mohamed and anti-government factions fought heavily in Mogadishu. The fighting started during a severe drought, both of which caused extreme food shortages with experts estimating that nearly 300,000 people died of starvation by 1992. Additionally, nearly two million people were displaced due to the fighting, driving them into in different parts of Somalia or neighboring countries.

On 3 March 1992, the warring parties signed a ceasefire agreement. The Security Council created the United Nations Operation in Somalia (UNISOM I) on 24 April 1992, to provide observers and facilitate the ceasefire. In July 1992, the UNISOM I mandate was strengthened, and four operational zones established. At the same time, the UN Secretary-General called for a 100-day plan to address the dire humanitarian crisis. Conditions continued to deteriorate as factions became increasingly hostile toward the UN operation.

After the Security Council passed resolution 794 on 4 December 1992, the United States agreed to take control of the Unified Task Force (UNTAF). As troops came aground during Phase I of UNTAF, the Secretary-General convened a meeting for national reconciliation in January 1993, ultimately reaching the Addis Ababa Agreement in March 1993. Meanwhile, the Security Council passed resolution 814 where UNISOM II replaced UNTAF. UNISOM II was tasked with monitoring all factions' compliance with the ceasefire; preventing the resumption of violence; seizing small arms from unauthorized elements; maintaining control of heavy weapons; securing ports and means of communication necessary for the delivery of humanitarian aid; protecting UN and NGO operations and their workers; demining the region; and repatriating refugees and displaced persons in Somalia.

By May 1993, it became clear that not all signatories to the March Addis Ababa agreements intended to cooperate. General Mohammed Farah Aidad, leader of the Somali National Alliance, teamed with other factions and began engaging in armed attacks against UNISOM II, killing international troops and workers. Resolution 837 condemned these attacks and called for ground and air operations in Mogadishu, which began on 12 June 1993. UNISOM II continued operations and additional ground forces from the United States were brought in for support, but fighting continued until October 1993 when Aidad unilaterally stopped actions against UNISOM II, but reports indicated that fighting between factions and against UNISOM II continued elsewhere.

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## THE SITUATION IN HAITI

On 16 December 1990, democratic elections were held in Haiti under supervision by the United Nations. Father Jean Aristide was elected on a platform of a new economic deal for the poor and a cleansing of the civil service, though most of the legislation was blocked by the Haitian Parliament. On 29 September 1991, a military coup ousted Aristide but allowed him to escape to Venezuela after diplomatic intervention by the U.S., French, and Venezuelan ambassadors. Under the leadership of General Raoul Cedras, the military immediately began slaughtering supporters of Aristide, killing more than a thousand in two weeks. Over 200,000 people fled the capital in response to the killings. The Organization of American States (OAS) imposed economic sanctions on Haiti and the United States, France and Canada suspended all economic assistance. On 8 October 1991, the OAS urged all member countries to freeze Haitian assets and proposed a civilian force that would mediate disputes and monitor compliance.

The OAS and the United States pushed for Aristide's return to power. On 23 February 1992, an OAS-mediated agreement granted amnesty to the coup plotters. However, on 27 March, the Haitian Supreme Court and Senate rejected the accord. Hostilities continued in Haiti

as international pressure mounted to make the trade embargo on oil and weapons universal. On 23 April 1993, the General Assembly authorized the United Nations to take part in a UN/OAS Civilian Mission in Haiti to deploy human rights monitors in the country, after which, the Security Council passed Resolution 841, imposing a comprehensive fuel and arms embargo in Haiti. On 3 July 1993, Cedras and Aristide signed the Governor's Island Agreement, which stated that Aristide would resume power on 30 October 1993. On 27 August 1993, the Security Council passed Resolution 861 suspending the sanctions against Haiti. Four days later, Resolution 862 was adopted and called for the dispatch of a small contingent to assess requirements for the UN Mission in Haiti.

Prior to Aristide's return to power in October, however, violence broke out in Haiti. Anti-Aristide gunmen menaced government workers and a UN team in the area, causing the Security Council to pass Resolution 867 on 23 September to immediately dispatch the United Nations Mission in Haiti (UNMIH). American and Canadian troops sailed to Haiti but were blocked by anti-Aristide forces from docking, and the United States ordered the ship to return. The Security Council passed Resolution 873 on 13 October reinstating the sanctions of Resolution 841. UN envoy Dante Caputo organized talks with the Haitian military leaders to restore Aristide to power, but the talks fell apart. With the failure of the talks and continued violence, Caputo withdrew all civilian monitors from the island by the end of October.

On 22 December 1993, the United States, France, Canada and Venezuela cautioned Haiti's military leaders that the embargo would be expanded if Aristide were not allowed to return to power by 15 January 1994. Meanwhile, Aristide announced that he was organizing a conference in Miami on 15 January 1994 to help restore democracy to Haiti.

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## THE SITUATION IN GEORGIA

In 1917, Abkhazia gained independence after the Russian revolution, but maintained treaty relations with Georgia. Between 1921 and 1931, Abkhazia and Georgia were constituted as a full Soviet Socialist Republic. By 1931, Abkhazia became an autonomous republic within Georgia. During Stalin's rule, Georgian assimilation of Abkhazia was enforced, causing nearly 46 percent of the Abkhaz population to be of Georgian ethnicity by the end of 1989. Clashes broke out as the Georgians began an anti-Abkahz campaign and relations between the two deteriorated. In March 1991, Georgia proposed a new law that ensured a small Abkhaz majority would be elected, but was boycotted in the elections.

The Republic of Georgia declared independence from the Soviet Union in April 1991, fueling separatist and nationalist concerns by citizens in the Abkhaz region of Georgia. On 23 July 1992, the Abkhaz Supreme Soviet voted to return to the 1925 Constitution where Abkhazia was a Soviet Union republic and not part of Georgia. The State Council of the Republic of Georgia declared the act void. In response, Abkhazian separatists took 11 hostages of the Georgian Ministry of Internal Affairs when they went to negotiate for peace. On 14 August 1992, 3,000 Georgian troops headed into Abkhazia and attacked the Abkhaz Supreme Soviet, sending many into hiding. After Russian troops in Abkhazia came under fire, Russian forces evacuated nearly 12,000 Russian nationals. Russian President, Boris Yeltsin, called for a ceasefire and helped broker a successful one on 3 September 1992; however, hostilities continued with both sides blaming the other for the violation.

On 17 September 1992, a United Nations mission was sent to Abkhazia on a fact-finding investigation. Abkhazian forces resumed the conflict with Georgia in October 1992, reinforced by Russian equipment and assisted by Russian helicopters. In November 1992, a brief ceasefire agreement was reached, but was broken within weeks as Abkhazian separatists bombed Sukhumi while Georgians shelled two Abkhazian strongholds. Hostilities continued on 16 March 1993 when Abkhazian secessionists attacked the Georgian-held capital of Tbilisi. More than 25 Georgian troops were killed and 52 wounded in the fighting.

On 2 July, Abkhazian forces attacked the Abkhaz capital city, Sukhumi, killing 39. Georgia declared martial law in Abkhazia on 6 July as separatist forces advanced towards the capital. On 9 July, the Security Council passed Resolution 849, calling for plans to dispatch military observers once a ceasefire began. The ceasefire came into effect on 27 July and on 6 August, in Resolution 854, the Security Council called for an advance team of 10 military observers to be sent to Abkhazia. On 24 August, Resolution 858 established the UN

Observer Mission in Georgia (UNOMIG), authorizing 88 military observers to verify compliance with the ceasefire and investigate violations.

Abkhazian forces launched another attack on Sukhumi on 16 September 1993, winning control of the city on 27 September. The Security Council passed Resolution 881 on 4 November, approving the extension of UNOMIG until 31 January 1994. On 1 December 1993, UN-sponsored negotiations began in Geneva where Georgia and Abkhazia signed a Memorandum of Understanding and promised not to use force against each other during the negotiations. The negotiations stalled when Abkhazia refused to recognize Georgia's territorial integrity. On 22 December 1993, the Security Council passed Resolution 892 authorizing the phased deployment of 50 additional military observers.

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## 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; 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.

## PURVIEW OF THE CONCURRENT GENERAL ASSEMBLY PLENARY

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:** www.un.org/ga/

## THE UN GLOBAL COUNTER-TERRORISM STRATEGY REVIEW

Countering terrorism is one of the most complex and multi-faceted issues facing the international community, and the international community continues to struggle with the best way to address the issue. Terrorism is not a new phenomenon; the era of modern terrorism began with the assassination of Tsar Alexander II of Russia in 1881. Yet the last several decades have seen new complexities. First and foremost, the ease of global communication enabled by the Internet and other communication technologies make it increasingly simple for terrorists to reach larger audiences, communicate with associates around the world and recruit more easily. Second, the globalized trade and transportation systems have enabled terrorists to more easily move and acquire resources. Third, the number and diversity of terrorist attacks have increased significantly. The National Consortium for the Study of Terrorism and Responses to Terrorism estimates that there were around 650 terrorist incidents in 1970 and approximately 5,000 in 2011. The reasons have also changed: while nationalism was the primary motivator in the 19th century, political ideology, religion and independence movements all emerged as motivating factors in the 20th century. The methodologies employed by terrorists are equally diverse: ranging from fear and coercion through major violent attacks to drug and human trafficking. Individual governments are increasingly struggling with counter-terrorism efforts and are turning to the international community for support and cooperation. The UN plays an important role as a key platform for multilateral, systemic approaches to addressing these threats.

Since 1972, preventing international terrorism has been on the General Assembly's agenda. The General Assembly adopted its

earliest counter-terrorism conventions in 1973 and 1979: the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons and the International Convention against the Taking of Hostages. These conventions were spurred by the growing trend of terrorists to seize or attack embassies or hijack planes and other vehicles. The conventions were designed to create effective measures to prevent, address and punish the taking of hostages and the targeting of diplomats and government employees. They also made taking hostages and attacks against diplomats an offense for which offenders could be extradited regardless of existing extradition treaties between States Parties. In 1994, the Assembly passed a new Declaration on Measures to Eliminate International Terrorism, which led to an Ad Hoc Committee on Terrorism in 1996. The Declaration was the first to highlight the growing nexus between terrorist networks and organized crime, an important source of sustaining revenue and an avenue for access to weapons. Further work was done on condemning and suppressing terrorists' bombings, financing and access to nuclear weapons, with conventions passed on each topic through the late 90s. The International Convention for the Suppression of the Financing of Terrorism inhibits the ability of terrorists to raise money, targeting charities, individuals, businesses and other organizations that raise, channel or launder money in support of terrorists in other States. Unfortunately, even with the many conventions and an international consensus condemning terrorism, attacks continue.

The terrorist attacks on 11 September 2001 in the United States brought the topic of combating terrorism to the forefront of the international agenda. After considerable discussion and debate, the General Assembly adopted the United Nations Global Counter-Terrorism Strategy in 2006. It was the first time the international community agreed to a comprehensive and strategic approach to combating terrorism and was the clearest condemnation to date of terrorism as a legitimate tactic. The Strategy centered on four pillars: measures to address the conditions conducive to the spread of terrorism; measures to prevent and combat terrorism; measures to build States' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in that regard; and measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism. This strategy is designed to enhance national, regional and international efforts to counter terrorism. The Counter-Terrorism Implementation Task Force (CTITF), established by the Secretary-General in 2005, is mandated to enhance coordination and coherence of counter-terrorism efforts of the UN system. While the primary responsibility for the implementation of the Global Strategy still remains in the hands of Member States, the CTITF helps coordinate the UN system with Member State action, providing policy support and helping deliver technical assistance.

Though the Strategy was agreed to and adopted, Member States struggled in its formulation on how to approach the issue, with questions concerning whether prevention of radicalization is more effective than suppression. If terrorism is a symptom and not the disease, then suppression does nothing to correct the underlying causes of the attacks. When an attack occurs, it is much easier to counter-strike, seeking those who are responsible, than to consider serious structural reforms that may be required locally or abroad to address the long-term threat. This debate is further compounded because there is no agreement over what motivates or causes terrorism. Limited economic opportunity, poverty, religious differences, weak governance and social conflict are some of the conditions that can motivate individuals to resort to terrorism, issues that will be unaffected by security measures undertaken domestically by outside States. If the legitimate grievances and underlying socioeconomic weaknesses are allowed to fester, attacks may continue. Economic development and governance reform may be just as important to counter-terrorism as is military force.

The General Assembly conducts biennial reviews of the Global Strategy. In July 2012, the third and most recent review reaffirmed the UN commitment to the Global Strategy and was adopted unanimously. Renewed interest in strengthening the four pillars, especially countering the appeal of terrorism, will focus on promoting dialogue and understanding as important elements in future efforts. The reaffirmation also emphasized a need for the international community to commit to solidarity with the victims of terrorism, which could help make terrorism less attractive as the victims get the attention, not the attackers or their motives. This furthers the key goal of delegitimizing terrorism, making it morally indefensible and a tactic that will cost groups social and economic support. The CTITF also continues to issue reports and policy recommendations through its working groups, most recently hoping to combat usage of the internet for terrorist communications and recruitment, working in the broader context of cyber security with Member States, academia, and the private sector.

With the Global Strategy and apparently strong support for countering terrorism, it would seem counter-intuitive that terrorism remains such a scourge. However, the international community remains severely divided over multiple issues. Beset by political divisions and with limited resources, the United Nations has struggled to articulate a vision for its role in the international effort against terrorism. The 2003 car bombing of a UN compound in Iraq, among many other attacks against UN officials, has limited the appeal of a large UN footprint in combating terrorism. Negotiations on a Comprehensive Convention on International Terrorism remain deadlocked, hampered by disagreements over several basic points. States continue to pursue unilateral military action against perceived threats, including within the sovereign territory of other States, often with little or no accountability. Some governments use the threat of terrorism to justify curbing fundamental human rights or even kill its own citizens. As attacks continue, the international community must continue a multi-faceted approach to delegitimize terrorism while addressing its causes.

Questions to consider from your government's perspective on this issue include the following:
- How can the UN further cooperate to fight terrorism? How can Member States work together to support the four pillars of the UN's strategy?
- How can States cooperate to combat terrorist activities on the Internet? Are additional steps needed to prevent terrorists from using the Internet for communication, recruitment and financial transactions?
- What steps can the international community take to make terrorism a less attractive option, particularly for young people?

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## Consolidating gains and accelerating efforts to control and eliminate malaria in developing countries, particularly in Africa, by 2015

Malaria is widely viewed as one of the most severe problems facing global health today. Malaria is a parasitic infection transmitted to humans via mosquito bites. In the human body, the parasites multiply in the liver and infect red blood cells, ultimately producing fever, headache and vomiting. If the infection goes untreated, it frequently becomes life threatening. The World Health Organization (WHO) estimated that there were 219 million infections and 660,000 deaths in 2010; over 90 percent of the deaths were in Africa. Malaria is a leading cause of death in many developing countries, and it disproportionately affects women and children. Almost 40 percent of the planet's population is at risk for malaria infection. Malaria is endemic in large areas of Africa, Central and South America, the island of Hispaniola (which includes Haiti and the Dominican Republic), Asia (including the Indian subcontinent, Southeast Asia and the Middle East), Eastern Europe, and the South Pacific. Six out of every ten hospital admissions in Sub-Saharan Africa are attributed to malaria.

The two most discussed issues regarding malaria are how best to combat the disease and the fiscal impact of the disease. Because mosquitoes are the vectors of infection, eradication of mosquitoes has been a main focus in the past. Unfortunately, insecticide-resistant mosquitoes have become more prevalent, rendering this mode increasingly infeasible. Efforts to combat the disease are further complicated by the lack of licensed vaccine for the disease. Widespread infections have a crippling effect on both individual families and the economy. Because mosquitoes breed and spread malaria primarily during the peak seasons for agricultural labor, the loss of productivity for several weeks can decimate a poor family's income. The direct costs of malaria in Africa alone are an estimated $12 billion U.S. dollars a year.

The WHO has the primary responsibility within the UN system for coordinating efforts to eliminate malaria. Regional efforts to eliminate malaria were underway as early as the 1940s, culminating in the 1955 Global Malaria Eradication Programme. Between 1955 and 1969, the WHO and national governments spent more than $1 billion trying to eliminate the disease in 10 years, by using tens of thousands of tons of pesticides each year to limit mosquito populations. The program saw some notable success: malaria was wiped out in the United States, Caribbean, South Pacific, Balkans, India and Taiwan. The program was cut short due to environmental concerns about the widespread use of DDT, ultimately resulting in the restriction of the use of the chemical. Despite success in some areas, the disease persisted in the deep tropics and ultimately made a resurgence after the program concluded in 1969. The disease was quickly reintroduced to India, and sub-Saharan Africa, which had not participated in the Program, continued to suffer. At the same time, widespread emergence of drug resistant malaria resulted in large-scale epidemics with limited treatment options.

In the early 1990s the renewed spread of malaria alarmed the international community. In response, the WHO convened a series of conferences, ultimately producing the 1992 Global Malaria Control Strategy. The Global Strategy calls for strengthening local and national capabilities for disease control, community partnership, decentralized decision-making and the integration of malaria control into the work of other sectors, including education, agriculture and the environment. In 1998, the WHO launched the Roll Back Malaria (RBM) campaign, based on four major pillars: prompt access to treatment for all (especially young children) with effective drugs; the increased use of insecticide-treated mosquito nets (ITNs), which provide the most effective method for families to avoid malaria; prevention and control of malaria in pregnant women, which reduces infant mortality and other birth complications; and malaria epidemic and emergency response for victims of natural climate variations or disasters and man-made outbreaks stemming from war or industry. In 2000, halting the spread of malaria and decreasing incidents of the disease was included as part of Millennium Development Goal (MDG) Six. To better achieve this objective and continue the international community's work against malaria, in 2008 WHO adopted its 2008 RBM Global Malaria Action Plan. The plan offered guidance for the prevention of the disease, especially long lasting instecticide treated mosquito nets, and expanding the prevalence of rapid diagnostic testing to provide quick diagnosis in the field.

Because of strong support for the issue, the international community has made remarkable gains. Since 2000, transmissions of malaria have decreased by 17 percent globally, with a 25 percent drop in mortality. Over one million deaths due to malaria were averted due to UN efforts over the last decade. But these gains are unevenly distributed. Some of the poorest countries in Sub-Saharan Africa continue to suffer disproportionately. Reaching populations in these countries continues to bedevil international efforts. More than 250 million long-lasting ITNs are still needed. Investment in combating malaria peaked at $1.9 billion in 2011, far short of the $5-6 billion target. With funding declining and the MDGs expiring in 2015, the international community risks a resurgence of malaria in tropical areas if it abandons efforts as it did in 1969.

A steady source of funding is crucial to ensuring that insecticidal nets and other tools continue to be available to individuals in impacted regions. Funding alone will not solve the problem, however, and the international community will need to address several other problems as well.

Prevention is key: every case of malaria avoided provides one less opportunity for drug resistance to increase, one less sick worker, and possibly one less death. ITNs have a demonstrated effectiveness as does intermittent indoor spraying. Drug-resistant strains of malaria and insecticide-resistant mosquitoes are both increasing and could pose a major threat to eradication efforts in the next few years. The international community will need to identify and support new approaches and remedies. Early diagnosis and treatment can also help dramatically reduce deaths, but these basic medical services are not available to many. Rapid diagnostic tests are available, and increasing access could prove important. New technologies, like mobile phone-based systems, show promise, as well. Limited information on the range of drug resistant strains makes treatment difficult. Medicine to treat malaria and ITNs are both relatively expensive and in limited supply in many of the most effected countries. Experts have suggested that supplies could be increased through local production, but intellectual property restrictions restrict the ability to produce goods locally.

Questions to consider from your government's perspective on this issue include the following:
- How can the United Nations ensure that efforts to combat malaria reach the marginalized and poorest communities?
- How can the international community ensure that adequate early testing for malaria is available?
- What steps can Member States take to increase access to medication to treat malaria?
- How should the United Nations manage the increased prevalence of drug-resistant malaria?

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## PURVIEW OF THE GENERAL ASSEMBLY FIRST COMMITTEE

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 25.

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

## ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

No single technology in mankind's development has brought with it a greater existential threat than nuclear weapons. With some eighteen thousand warheads estimated in global stockpiles, the world remains only one launch away from destruction. From the United Nations' very beginning, the international community has struggled with balancing the danger of these weapons with access to the technology and the energy nuclear fission can provide. One tool used by the international community has been the creation of nuclear-weapon-free zones (NWFZ), a geographical group of Member States that have renounced nuclear weapons technology, maintain no such weapons and have established a system of verification and monitoring.

The international community, fearing what the uncontrolled expansion of nuclear weapons could herald, promotes nuclear non-proliferation as a central element of ensuring international peace and stability. The goal of a NWFZ is to avert regional nuclear proliferation and encourage global disarmament. The first NWFZ was created by the Antarctic Treaty in 1959. The treaty forbade the stationing of nuclear weapons and waste in the Antarctic while also outlawing testing in the area. Latin America followed, establishing its own NWFZ with the Treaty of Tlatelolco in 1967. New clauses in the Treaty of Tlatelolco prohibited States Parties possessing nuclear weapons from stationing them within the area and prohibited Parties from using or threatening the use of nuclear weapons against other Parties.

The broader international effort toward addressing the nuclear threat saw another success when the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) entered into force in 1970. The treaty is intended to limit the expansion of nuclear weapon technology while ensuring that states have the continued right to pursue and safely use nuclear technology for peaceful purposes. The NPT created the International Atomic Energy Agency (IAEA) to oversee safeguards and confidence-building measures and to implement verification measures. Today, NWFZ treaties cover Latin America and the Caribbean, the South Pacific, Southeast Asia, Africa and Central Asia. The creation of an NWFZ in the Middle East would bring the region into the regime of existing NWFZ treaties and diminish the threat of nuclear war within the region.

A NWFZ in the Middle East was first proposed in 1962, and the General Assembly passed the first resolution endorsing the concept in 1974. Little progress was made over the next 35 years as actors in the region struggled to overcome conflict and mistrust. The 1990s saw a spurt of action as Egypt and Israel led an effort to renew talks. Instead of focusing on just nuclear weapons, States in the region aimed for a more comprehensive disarmament, including all forms of weapons of mass destruction. Talks stalled and then ultimately broke up in 1995.

Currently, the United Nations continues to encourage peaceful talks between States of the Middle East regarding creating an NWFZ. In 2010, the parties to the NPT asked the Secretary-General to consult with States in the region to encourage a 2012 NWFZ conference. Unfortunately, Member States could not to agree to an agenda for the conference and it was ultimately abandoned. On 11 December, the General Assembly once again adopted a resolution for the establishment of a nuclear-free-weapon zone in the Middle East. In the resolution, the General Assembly emphasized the need for action based on reciprocity between States, implying a request for increased trust and civil discourse. It also asked for oversight from the IAEA, which would better enable the development of nuclear energy for peaceful purposes. As the international community's center for coordination in the nuclear field, the IAEA would play an important role in both verifying the NWFZ and in supporting transfer of nuclear technology for peaceful uses, such as energy production. Unfortunately, the IAEA has limited standing in the region, as it struggles to engage with uncooperative governments suspicious of its actual mission, its staff and their motives.

Despite the broad consensus of Member States in the region and the international community, there are clearly challenges surrounding the creation of a Middle East nuclear-weapon-free zone. Historical geopolitical struggles, exacerbated by fears of nuclear proliferation in the region, continually fuel a state of confrontation. A lack of transparency by multiple states in the region compounds the issues while further diminishing trust amongst the parties. The 2003 conflict in Iraq, its aftermath, and the Arab Spring have further roiled the region, with several changes in government, a fluctuating balance of power in the region and several active proxy wars.

Some States believe that nuclear weapons and the deterrence they bring are vital to their safety, especially if other regional powers already posses or are developing nuclear weapons. At the same time, removing the risk of nuclear weapons in an already volatile region could lead to increased stability and peace in the region. In order to proceed toward an NWFZ, Member States will need to, in effect, restart the dialogue with Member States and intergovernmental organizations in the region. Trust is essential for moving forward with a treaty. IAEA safeguards and confidence-building measures could be of critical assistance in increasing trust. States have previously disagreed about whether the safeguards should be implemented before or after a NWFZ treaty. With high levels of distrust, the General Assembly could work with States in the region to design and implement a confidence-building program that helps reduce tensions. Such an agreement can only succeed if the General Assembly considers what steps would allow

regional actors to disavow the use or threatened use of nuclear weapons. Achieving these foundational steps while minimizing geopolitical tensions in the region is difficult, but the threat of nuclear proliferation demands the effort.

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

- What steps can be taken to improve trust among regional actors and between States in the region and the IAEA?
- Can transparency and regular inspection of nuclear programs improve trust in the region?
- How can the international community ensure that States in the region have safe access to nuclear technology for peaceful use?
- What should the geographical scope of an NWFZ agreement in the Middle East be? What transparency and confidence-building measures should be included in a treaty?

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## PROBLEMS ARISING FROM THE ACCUMULATION OF CONVENTIONAL AMMUNITION STOCKPILES IN SURPLUS

Disarmament—the reduction, limitation or abolition of weapons—has long been a goal for the United Nations. Its approach has grown more comprehensive over time, and includes efforts aimed at both nuclear and conventional disarmament. After the end of the Cold War, with the de-escalation in tensions between the United States and the former Soviet Union, the proliferation of new States, and the existence of enormous stockpiles of conventional weapons, the problem of illicit trade in small arms and light weapons (SALW) became paramount as these weapons fueled violent conflicts the world over. Because of their mobility and relative ease of use and maintenance, small arms remain the weapons of choice in many of the world's conflicts, and their proliferation can quickly escalate violence between armed groups (including military forces) and threaten population security. Weapons themselves were long the focus of disarmament, but the ordnance or ammunition is also an important part of the disarmament regime.

Ammunition stockpiles, comprised of bullets for SALW, missiles, rockets, landmines and other explosive devices, pose specific problems distinct from the larger issues surrounding disarmament. For example, when not stored properly, conventional ammunition stockpiles create a significant risk of unplanned explosions and unintentional discharges that endanger military personnel, civilian workers and surrounding communities. Between 2000 and 2009, there were 289 documented explosions, causing 3,486 fatalities and 4,427 significant injuries; the fatalities accounted for approximately 21 percent of the global fatalities due to landmines and unexploded ordnance worldwide. In light of these incidents, the need for UN action on the issue was evident. Furthermore, poorly-guarded and maintained ammunition stockpiles provide ample opportunity for the diversion of ammunition to violent groups and individuals, including gangs, terrorist organizations, criminal syndicates and individual criminals.

After receiving a report from a group of experts, which acknowledged the significant financial and technical challenges of surplus ammunition stockpile management in 2008, the UN organized a Group of Governmental Experts (GGE or Group) on the subject to provide recommendations on possible courses of action. The primary substantive notes of the GGE report were the recognition of a lack of technical guidance regarding stockpile management and an emphasis on the fact that effective stockpile management must be comprehensive—including categorizing ammunition, building accounting systems to identify surplus, establishing procedures to ensure safe handling, enhancing physical security systems and developing testing procedures to assess stability and reliability. The Group recommended the development of appropriate technical guidelines. The General Assembly endorsed the Report in 2008 and encouraged States to implement its recommendations.

Disarmament represents a significant area of parallel lines of effort within the United Nations. The United Nations Office for Disarmament Affairs (UNODA) is responsible for tracking and coordinating disarmament efforts across UN bodies and technical agencies. The General Assembly First Committee is concerned with disarmament and related international security issues and its resolutions on the topic have focused on developing comprehensive,

integrated, and pragmatic approaches to the problem. Previous resolutions also encouraged States to voluntarily assess whether their conventional ammunition stockpiles could be considered in surplus and the risks associated with continuing to store the ammunition or destroy it. States must determine what comprises a surplus, though factors to consider include the country's security situation, the size of the military, and international commitments, such as peacekeeping. The resolution also encouraged international, regional and subregional cooperation to improve ammunition stockpile management and coordination efforts to prevent illicit trafficking in ammunition. The First Committee also urged coordination with the UNODA and the involvement of the Mine Action Service of the Department of Peacekeeping Operations in these matters.

To date, the most significant achievements in the area of conventional weapons ammunition disarmament have been with the establishment of the UN SaferGuard programme in 2011 and the establishment and implementation of the International Ammunition Technical Guidelines (IATG). Currently, there are twelve published guidelines regarding the storage and detonation of surplus ammunition, ranging from risk management to transporting ammunition to the destruction of surplus ammunition. The IATG are meant to assist States in establishing national standards and Standard Operating Procedures by establishing principles for ammunition stockpile management, technical references and scientific data about explosives; they do not define detailed or prescriptive requirements for stockpile management. All Member States have welcomed the guidelines, and governments interested in implementing the guidelines and increasing the security of their stockpiles are encouraged to contact the SaferGuard programme.

Regional and subregional disarmament programs, such as the Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) have had some success in helping interested States reduce their surplus ammunition stockpiles through financial and technical assistance and by providing access to equipment such as the Small Arms Ammunition Burning Tanks (SAABT), which would be prohibitively expensive for many nations. Other regional organizations, such as the Organization for Security and Co-operation in Europe have also established regional guidelines for conventional ammunition stockpile management.

While the Technical Guidelines deal directly with ammunition stockpiles, the broader program of disarmament is of some import as well. The United Nations along with governments, international and regional organizations, civil society, and the private sector, has developed International Small Arms Control Standards (ISACS). The ISACS are used by the more than twenty UN organizations that make up the Coordinating Action on Small Arms (CASA) whose job it is to coordinate and support implementation efforts on the Programme of Action on small arms and light weapons, the International Tracing Instrument, and the United Nations Firearms Protocol. To date, issues resulting from surplus ammunition stockpiles have not been addressed directly in these bodies; this is one area in which increased coordination may be both desirable and possible.

Though the IATG and the SaferGuard programme have made significant gains, the crux of the problem of surplus ammunition stockpiles still exists. Ammunition stockpiles are not managed internationally and are not subject to the same scrutiny as weapons stockpiles or the transfer of SALW among armed groups. The management and security of ammunition stockpiles has existed as a secondary concern to other disarmament programs, rather than being integrated into efforts at more general conventional disarmament. While regional and subregional frameworks to address this issue operate in conjunction with frameworks to combat illicit arms trafficking, progress is still hampered by budgetary constraints of states and technical knowledge. Member States may be reluctant to destroy surplus ammunition stockpiles in order to maintain their defense posture and readiness, and they may have difficulty in safely storing and guarding the stockpiles because doing so is expensive and requires significant technical expertise. The primary challenges for the United Nations remain how to encourage the adoption of best practices for ammunition stockpile management, how to build capacity for States that wish to secure and manage their ammunition stockpiles over the full life of the ammunition, and how best to monitor compliance with national, subregional, regional and international standards.

Questions to consider from your government's perspective on this issue include the following:
- How can the international community encourage the adoption of best practices for ammunition stockpile management, such as those laid out by the IATG?
- How can the United Nations encourage international, regional, and subregional frameworks and organizations to cooperate and coordinate action on the issue of surplus ammunition?
- What further action is needed to tie issues related to surplus conventional ammunition stockpiles to UN action more broadly related to SALW disarmament?

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# THE GENERAL ASSEMBLY SECOND COMMITTEE
## ECONOMIC & FINANCIAL

## PURVIEW OF THE GENERAL ASSEMBLY SECOND COMMITTEE

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 addresses 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 25.

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

## SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

Science and technology are key drivers of progress and change within the global economic system. The international community is committed to leveraging these tools to promote sustainable development and growth. Developing countries have explored and benefited from green and environmentally sustainable energy programs, advanced and strategic urban development, Internet broadband for an inclusive digital society, and many other technologies. These developments have improved lives and enabled millions to escape poverty. To continue this progress, developing countries need access to and assistance with relevant technologies that may help spur further development. While rapid progress has been achieved in improving access to information and communications technologies at the global level, significant gaps remain between the demand for and access to the ability to use such technologies. Some of the main impediments faced by developing countries in accessing the new technologies include insufficient resources, infrastructure, education, capacity, investment and connectivity, and intellectual property rights.

Social entrepreneurs, States, and various non-profits have capitalized on technology to make real differences. Ushahidi is one such program where an individual with a cell phone can be instrumental in enhancing the availability and accuracy of information that makes governments more transparent, responsive and accountable, and makes markets more efficient. This access has strengthened democracy and economic development, with myriad applications, such as verifying election results across Brazil or tracking teacher absenteeism in Uganda. It has facilitated market efficiency, through mapping biogas market prices and production across six countries in Africa. And, it has helped aid workers in Haiti and Japan reach those affected by natural disasters. In Zambia and other States mobile phones are also being used to fight diseases. Malaria, which affects over 200 million people per year, is an economic handicap that affects States with nearly half the world's population. Health coordinators now receive free cell phones, which they use to send treatment and evaluation reports, allowing them to double the number of patients they are able to see while more rapidly disseminating the latest information on the disease. These success stories are just a few among many, and the United Nations plays a crucial role in supporting the use of science and technology for development. The United Nations has been very active on the topic over the past decades. The seminal 1992 Conference on Environment and Development produced Agenda 21, a program for global sustainable development. Transfers of environmentally sound technologies were key to implementation. Intended to minimize waste and energy consumption, Agenda 21 envisioned that developing countries could leverage technology outside of patent protection, using either technologies in the public domain or bought from the private sector to achieve those goals and protect the environment. States were to increase funding agreements and technology transfers, but it was not until 2002 that funding, including technology transfers, recovered from aid cuts undertaken through the 1990s. Funding grew modestly over the next decade, and technology is a vital multiplier to help those aid dollars go further.

The international community has extensively followed up on the work done in Rio in 1992. The 2002 and 2005 World Summits on Sustainable Development (WSSD) supported initiatives for research and development through voluntary partnerships between the public and private sectors to address the special needs of developing countries in the areas of health, agriculture, conservation, sustainable use of natural resources and environmental management, energy, forestry, and the impact of climate change. The World Summit Outcome document encourages the promotion of greater efforts to develop renewable sources of energy, such as solar, wind and geothermal.

The 2004 Bali Strategic Plan for Technology Support and Capacity-building (BSP) established guidelines for increasing technology support at the national, regional and global levels. The plan calls for the strengthening of the United Nations Environment Programme (UNEP) at both regional and national levels; capacity-building programmes to support the implementation of environmental conventions and other legal instruments, training and enhancement of existing centres of excellence; and exchanges of best practices and lessons learned. The General Assembly's most recent work on the topic has recognized the important role of science and technology in sustainable development and achieving many of the targets set out in the Millennium Development Goals. Working with ECOSOC's Commission on Science and Technology for Development and the United Nations Conference on Trade and Development, the General Assembly is attempting to increase capacity building efforts, reform State's development policies to capitalize on science and technology, and prioritize research in fields especially relevant to developing countries, like agriculture, communication technologies and environmental management.

Technology transfers are not the answer in and of themselves. Sustainable development requires access to technology but also the investments in infrastructure and education needed to capitalize on the tools. Intellectual property rights have been strengthened under many bi- and multi-lateral trade agreements, limiting the ability of States to make use of many technologies in a cost-effective manner. The Second Committee must consider how sharing technology, especially that which the receiving State will be able to sustain the use of, can be

better integrated as an alternative of or companion to foreign aid. Entrepreneurs around the world are continuing to leverage existing technologies and create new technologies that support international development. Through the Second Committee, the international community must promote these successes and encourage the structural reforms that allow them: education, Internet connectivity and infrastructure.

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

- How can the international community promote technology transfers while protecting intellectual property rights?
- How effective has the Bali Strategic Plan been, and what steps could be taken to further its implementation?
- How can the United Nations encourage new areas of technological and scientific progress that might support international development?
- How can current technology transfers be better organized to ensure their maximum benefit?

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## FOLLOW-UP TO THE CONFERENCE ON THE WORLD FINANCIAL AND ECONOMIC CRISIS AND ITS IMPACT ON DEVELOPMENT

The year 2008 marked the beginning of the worst financial and economic crisis since the Great Depression. For years, banks lent money to borrowers who would prove to be unable to pay them back. When the housing bubble in the United States began to deflate, a serious of events were triggered, creating a crisis of confidence in financial markets and, because of complex financial instruments tied to the sub-prime loans, the contagion of the crisis spread rapidly through the world's financial sectors. This ripple triggered another round of problems, as other structural issues came to the forefront after the support of the global financial system for lending, particularly for mortgages, dried up. While the crisis began in the world's major financial centers, it quickly swept across the globe, affecting all Member States. Least developing countries were strongly affected. In all, it is estimated that $14.5 trillion in wealth and value was lost as a result of the crisis.

To limit the scope and depth of the damage, Member States, central banks and international organizations came together to forge a series of reforms, bail-outs and alternative lending schemes. Large banks, reeling from losses tied to both bad loans and complex investments meant to limit risk, were especially unstable. The repercussions of the crisis undermined faith in some government debt, forcing States to undertake unique measures to maintain the stability of theirs and other's finances. Unfortunately, some States, small businesses and poorer populations did not have access to the same financial and monetary tools available to the world's largest and strongest economies. While some States have rebounded, many of the world's poorest remain worse off as a result of the crisis. The crisis prompted States to reduce foreign aid funding, and foreign aid contracted sharply in 2011. Least developed countries suffer a disproportionate impact from these funding cuts, and these cuts continue to hamper efforts to achieve MDG targets. The World Bank estimates that over 50 million people were driven into extreme poverty during the crisis, with the number of undernourished and hungry reaching a historic high of over one billion people. This crisis was a sharp reversal for the international community's fight against poverty, and it required an international response.

In June 2009, world leaders met at the United Nations Headquarters in New York for the Conference on the World Financial and Economic Crisis and Its Impact on Development. The goal of the conference was to identify emergency and long-term responses to alleviate the impact of the crisis and the transformation of financial and economic systems. Member States and representatives from various United Nations' organizations including the World Bank and International Monetary Fund (IMF) attended the Conference, as well as representatives from civil society organizations and the private sector. Leaders were tasked with finding appropriate solutions that were commensurate with the depth and scale of the crisis and appropriate for the unique situations of each Member State. Specifically, the Conference focused on the impact of the crisis on employment, trade, investment and development, including the Millennium Development Goals; appropriate actions and measures to be taken to mitigate the impact of the crisis on development; the role of the United Nations and Member States in the discussion surrounding financial and economic reforms; and the contributions of United Nations Development Systems in response to the crisis.

The Conference's report to the UN examined the damage of the crisis as well as the opportunities it created. Years of progress toward many of the Millennium Development Goals (MDG) were wiped out, global trade contracted sharply and unemployment rose dramatically. At the same time, the participants saw the crisis as a chance to redouble efforts toward a fair, globalized economic system. By focusing the responses toward those least able to help themselves, the world's economic powers could correct imbalances in development and provide for sustainable development paths. No longer just a crisis, the financial and economic collapse could become an opportunity. Prompt access to short-term credit and liquidity coupled with long-term development financing, investments in green technology and a rejection of protectionism could transform the global economy and its distribution of wealth and inequality. Front-loading already agreed upon loans and limiting conditions for disbursement would enable immediate progress on these points.

Subsequently, the United Nations established the ad hoc open-ended working group of the General Assembly to follow up on the issues contained in the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development. In its first report to the General Assembly in 2010, the working group found that while millions more than initially estimated were pushed into poverty, the pace of recovery in emerging economies was surpassing developed States. Unfortunately, the aftermath of the crisis continues to hamper growth. The sovereign debt crisis in Europe continues to harm trade and financial markets, as well as affect the poor, the unemployed and migrant workers.

As the aftershocks of the economic meltdown pass and growth returns, the international community has to address uneven economic development and the international regulatory system. The Second Committee must consider how foreign aid flows can be better managed to limit unstable and volatile funding flows and to ensure that macroeconomic crises do not have the same impact. To better regulate the global financial system, the international community adopted voluntary standards under Basel III in 2011. Designed to enhance capital, liquidity and leverage ratio requirements for banks and financial institutions, they are being implemented in stages between 2011 and 2019. Designed to directly address the causes of the global financial crisis, Basel III has faced severe opposition from banks and financial institutions. The Second Committee must consider how the ad-hoc and regional approach so far taken to address financial regulation can be better managed and identify strategies for a more inclusive and global regulatory response. The IMF has been a key player during the crisis, providing key loans to support States' finances, but the loans have come with unpopular conditions. The Second Committee should review how loans are made available and ensure that the long-term goals of macroeconomic stability and growth are maintained. As demonstrated during the 2008-2009 crisis, the global financial markets have an impact not only on developed countries, but a profound effect on the world's poorest – potentially threatening life and well-being. Balancing structural reforms with growth and development has proven difficult, but the international community must find a way to succeed at this crucial task.

Questions to consider from your government's perspective on this issue include the following:
- What steps can the international community take to enhance global regulatory effectiveness and financial transparency?
- How can the international community revise the system of foreign aid to improve stability of funding levels?
- How can the international community prevent the next global financial crisis?

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# The General Assembly Third Committee
## Social, Humanitarian & Cultural

## Purview of the General Assembly Third Committee

While the Committee's areas of concern and its work often overlaps 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 25.

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

## Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Torture is strictly defined by the United Nations as the intentional infliction of physical or emotional distress by a public official for the purposes of gathering information, compelling a confession, or intimidation or coercion. It is important to note that this definition only covers actions by public officials or people acting in an official state-sponsored capacity. The Universal Declaration of Human Rights expressly states that, "no one shall be subjected to torture or to cruel, inhumane, or degrading treatment or punishment." Furthermore, the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment explicitly prohibits States Parties from allowing acts of torture to occur within their borders. Even with these protections in place, the UN still receives numerous allegations of torture each year. These allegations range from the mistreatment of prisoners to the physical and mental abuse of alleged terrorist detainees.

The United Nations has a long history of condemning the use of torture; one of the first documents to prohibit torture, the Universal Declaration of Human Rights, was passed by the UN General Assembly in 1948. The General Assembly passed its first resolution on the issue in 1973, outlining the continuing global problems concerning torture and the need for all nations to join and uphold existing international accords. In 1984, the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment was adopted by the General Assembly. Currently, there are 153 States Parties to the Convention.

These agreements are intended to protect persons and detainees from torture—both in wartime and peacetime. The Committee against Torture, housed within the Office of the High Commissioner for Human Rights, monitors the implementation of the Convention Against Torture by its States Parties. States are required to submit regular reports to the Committee; the Committee also has the power to investigate claims of violations, initiate inquiries and address inter-state complaints. The Committee also meets regularly to discuss current themes and issues regarding torture concerns and publishes "general comments" on interpretations of the Convention.

In 2002, the General Assembly passed the Optional Protocol to the Convention, which creates an inspection system for detention centers. The Istanbul Protocol, a manual created by the High Commissioner for Human Rights in 2004, outlines guidelines for effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment. Additionally, the United Nations Commission on Human Rights appointed a Special Rapporteur to examine questions relevant to torture, an appointment renewed by the UN Human Rights Council. The mandate of the Special Rapporteur covers all countries, irrespective of whether a State has ratified the Convention. The current Special Rapporteur submits an annual report to the Human Rights Council and General Assembly outlining what steps States should take to eradicate the practice of torture within their borders. The Special Rapporteur also conducts site visits to Member States to examine their compliance with the Convention.

Despite the legal and political responsibilities to prevent torture, cases of torture have been regularly reported in both developed and developing countries over the last decade. In the first half of 2013 alone, Human Rights Watch reported cases of torture or alleged cases of torture in two dozen countries. Ethnic and regional conflict, civil war, and terrorist activity all elevate the risk of torture. The continued threat of terrorism worldwide has pushed many countries to engage in extrajudicial detention of suspected terrorists and in many cases created an environment conducive to torture. These extrajudicial detentions create an environment of legal impunity. Over the past two years, countries within the Middle East and North Africa have faced increased scrutiny over allegations of torture as they seek to quell political unrest. However, many of the countries involved argue that their actions are well within their rights and within international protocols. Countries in transition also face allegations of torture, as they seek to build new accountability structures.

While it is unlikely that the General Assembly will be able to fully address the conditions that allow for torture to take place, the UN has numerous opportunities to improve monitoring, support the creation of judicial remedies for torture and to improve human rights training for security personnel. For many States, torture is actively discouraged by national policy, but ineffective legal remedies and impunity for State officials allow torture to continue. The Third Committee is also uniquely suited to consider how supporting other human rights—such as freedom of speech and association—can also help to combat torture. Finally, many States with alleged cases of torture have refused to allow the Special Rapporteur to conduct site visits in their country or have refused the Special Rapporteur permission to interview alleged torture victims. Encouraging States to allow visits from the Special Rapporteur could improve monitoring and accountability, particularly in States with strong existing judicial remedies for torture.

Questions to consider from your government's perspective on this issue include the following:
- How can States that have not ratified the Convention Against Torture and Other Cruel or Degrading Treatment or Punishment be convinced to do so?

- What steps can the UN take to encourage States to cooperate with the Special Rapporteur on Torture and other monitoring mechanisms?
- How is the UN supporting judicial systems in prosecuting torture cases, and what additional actions are necessary to prevent impunity for torture?
- What steps can the UN take to prevent torture in countries in transition?

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## RIGHTS OF THE CHILD

Since its founding, the United Nations has regarded children as deserving special protections. Unable to defend and provide for themselves, children are dependent on their family and the State for education, food, protection, health care and many other vital services. Protecting children from violence, exploitation and abuse is an integral component of protecting their rights to survival, growth and development. Education is a basic human right, vital to the development and well-being of individuals and societies as a whole. Unfortunately, only 63 percent of the secondary school aged population globally is enrolled, and over 71 million children of secondary school age are not in school. Education is critically important to helping adolescents develop the skills they will need as adults in the work force and in the community. Girls are less likely than boys to attend and complete secondary school – even though educated girls earn more income for their families and have healthier, better-educated children. In the least developed countries, a quarter of young men and a third of young women are illiterate. Decades after the adoption of the Universal Declaration of Human Rights, children especially continue to suffer the abuse of many of their most basic rights.

The Convention on the Rights of the Child (CRC), adopted in 1990, recognizes that children have special rights in addition to those presented in the Declaration of Human Rights and other documents. The Convention became the first legally binding international treaty to denote specific civil, cultural, economic, political and social rights for children. The treaty details these rights in 54 articles and is expanded upon in three Optional Protocols. Formally adopted by 193 States, the Convention is currently the most widely endorsed human rights treaty in history. The Committee on the Rights of the Child has been tasked with monitoring the progress of the Convention.

The Convention has been built upon as an instrument in transforming the way children are viewed and treated worldwide. Having established that children have distinct and unique rights, it became possible for the international community to determine the responsibility of States to uphold, protect and expand those rights. The UN established a Special Rapporteur on the Sale of Children in 1990 and a Special Representative of the Secretary-General for Children and Armed Conflict in 1996. The Security Council strengthened the Office of the Special Representative in 2005 by establishing a monitoring and reporting mechanism specifically for six grave violations, which include attacking schools, recruiting child soldiers and killing or maiming children. Going further in 2000, the UN General Assembly adopted the first two optional protocols, specifically addressing the exploitation of children in sex trafficking and armed conflicts. The protocols use a multifaceted approach to tackle child exploitation by reducing demand for children and increasing awareness of these problems. By strengthening the international legal framework, the Convention continues to play a major role in creating local and global policies and programs that support the advancement of children. As a result of Member States' commitments to the Convention, more children are surviving, attending school and fewer are forced into labor or armed conflict. Over the last decade, secondary school completion has risen from 60 percent in 2000 to over 71 percent in 2011. Similarly, child mortality has gone from from 73 per 1000 live births in 2000 to 51.4 per 1000 live births in 2011.

Unfortunately, these documents and norms have not benefited every child. In many places, children continue to fall victim to disease, are enlisted into militaries and paramilitary forces, recruited into criminal gangs and are trafficked. Verification and supervision of States' respect for their international obligations to protect children remains weak, with the Special Rapporteur and Special Representative's work limited by state cooperation. However, in 2011 the General Assembly opened the Optional Protocol to the Convention on the Rights of the Child on a communication procedure (OPIC). OPIC would allow the Committee on the Rights of the Child to address accusations raised by private parties—including individual children—of violations of a party's responsibilities and obligations under the CRC or the two other

optional protocols. The Protocol will enter into force once ten States have ratified it. Pushing Member States to ratify OPIC will be an issue for the Third Committee. The Protocol improves accountability for Member States' obligations under the Convention.

There are several other issues that the Third Committee will also need to address at its upcoming session. The ongoing economic crisis has continued to force governments to reduce spending, particularly on social services. Social service spending cuts tend to disproportionately affect children, who are significant consumers of health and education services. Member States will need to consider how the international community can ensure that the rights of children are protected in this more austere budget environment. As the General Assembly prepares to set the post-2015 development agenda, the Third Committee may also want to evaluate what issues pose the greatest threat to the well-being of children. Unprecedented progress has been made in reducing poverty and bringing more children to school, in reducing child mortality and providing safe water to drink. The daunting task ahead is to extend these gains, which have yet to reach everyone. Stark disparities that remain or are even widening put the poorest communities in many countries consistently at a disadvantage.

Questions to consider from your government's perspective on this issue include the following:
- What are the most pressing threats to the welfare of children?
- What steps can the United Nations take to strengthen Member States' protection of children?
- How has the world financial and economic crisis affected Member States' protection of children?
- How effective are the Optional Protocols in protecting children from being trafficked or used in armed conflicts? What additional steps can the international community take to prevent trafficking in children?

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# The General Assembly Fourth Committee
## Special Political & Decolonization

## Purview of the General Assembly Fourth Committee

The Fourth Committee is charged with addressing a variety of political and peacekeeping issues. Its political work covers aspects of decolonization, mine action, and Palestinian refugee issues. Its recommendations should address political aspects of an issue and not focus on the economic, social, or development aspects of the topic. For example, while the Fourth Committee may discuss the political problems of the Syrian Golan, it cannot discuss the details of how to promote development in the area, a task better suited for the Second Committee.

The Fourth Committee is also charged with the coordination and operational aspects of UN peacekeeping missions and the oversight of the Department of Peacekeeping Operations. This is an important distinction from the Security Council, which develops peacekeeping missions and objectives. For more information concerning the purview of the UN's General Assembly as a whole, see page 25.

**Website:** www.un.org/en/ga/fourth/

## Promoting the Peaceful Use of Outer Space

On October 4, 1957, the Soviet Union launched the very first artificial satellite, Sputnik 1, into outer space. The ability to place objects in orbit around the earth, while a terrific milestone in human development, also expanded the scope of man's existential threat by opening a whole new arena to competition from a bitterly divided international community. By the end of 1958, driven primarily by the concern that Cold War rivalries would spill over into this new arena, the General Assembly created an ad hoc Committee designed to ensure that outer space was used exclusively for peaceful purposes. The work of the UN has spurred cooperation and information sharing amongst the international community, furthering scientific discovery, weather monitoring and meteorology, and disaster preparedness and response. Today however, the growing presence of commercial and private enterprise and the expansive deployment of non-weaponized military hardware into space could destabilize the regime providing for the so-far peaceful use of space.

In 1959, the General Assembly established the Committee on the Peaceful Uses of Outer Space (COPUOS) as a permanent body and expanded its work. In addition to non-proliferation efforts, the COPUOS was charged with promoting productive international cooperation on space-based projects. COPUOS also established that benefits from outer space exploration should benefit States regardless of the stage of their economic or scientific development. Mapping and predicting global weather patterns via satellite offers tangible benefits to all countries, and COPUOS consequently cooperates with the World Meteorological Organization (WMO). Most recently, the Legal Subcommittee of COPUOS has been charged with developing consensus on a legal definition of outer space and continues to work with Member States on this challenging issue. As the number of UN agencies involved in outer space issues expanded, the UN created the UN Coordination of Space Activities (UNCOSA) program, which coordinates the efforts of more than 25 organs and specialized agencies of the UN.

In 1963, the General Assembly called for the total prohibition of the placement of nuclear weapons platforms (or any other weapon of mass destruction) into space or upon any celestial object to further promote the goal of maintaining outer space as a weapons-free zone. Moreover, the General Assembly adopted the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (the "Outer Space Treaty") in 1966, explicitly prohibiting the placement of such weapons in outer space and the establishment of military bases and the conduct of military activities on celestial bodies. The Treaty has been interpreted to prevent territorial claims of sovereignty in outer space or on celestial bodies. With 102 parties and 27 other signatories, the Outer Space Treaty and four subsequent treaties expanding upon provisions of the Outer Space Treaty are widely considered the foundation of international law concerning outer space.

Additionally, the United Nations Office for Outer Space Affairs (UNOOSA) has led efforts to track and coordinate the placement and orbit of objects launched into outer space for both commercial and public purposes, such as communications satellites. The UN Secretariat has maintained a registry of launches since 1962. Currently, such registration is conducted pursuant to the Convention on Registration of Objects Launched into Outer Space (the Registration Convention). Under the Registration Convention, launch States (States from whose territory a space object is launched and that has taken responsibility for the launch) report any launches conducted under their jurisdiction to UNOOSA, which in turn maintains a record of all registered space objects in orbit.

At its most recent meeting, the Fourth Committee focused on two major themes. The first was the usage of extant technology for disaster detection and response. Being able to share high-quality imagery from around the globe in real-time conditions is a significant boon to first responders, while weather system detection allows for more time to prepare and even evacuate ahead of life-threatening weather events. Both can save lives, especially in less-developed nations. The second topic of discussion was the mitigation of space debris. Debris poses a threat to both spacecraft as well as to those on land via unexpected re-entry. This issue has been on the agenda since 1994, and the Committee has developed guidelines to reduce the accumulation of space debris. These guidelines include a focus on reducing or eliminating ejected waste material during a mission, end-of-life planning for decommissioned objects, and improving collision avoidance systems. All of these initiatives are voluntary measures, though they do carry strong recommendations.

In spite of these successes, the United Nations and the broader international community face many challenges to preserving outer space as a peaceful sphere for the benefit of all mankind. While outer space remains free of any known conventional offensive weapons, communications, surveillance and intelligence collected from satellites have all changed modern armed conflict. These technologies are not explicitly prohibited by convention or treaty, but the continuing advancement of space-deployable military hardware will almost certainly be an area of future contention.

Additionally, there is a great deal of concern surrounding the registration of space objects, which entails sharing some information about technologies used to develop them. Many developed countries are hesitant to be completely transparent about their technologies, because space is still a highly competitive field. Consequently, they are concerned about intellectual property rights. Protecting these rights for those States that disclose the technology, developed under their space programs, will be essential for increased cooperation in registering space objects.

Finally, with the advent of the use of private spacecraft in national space programs and increasing commercial interests in the bounty of natural resources in outer space, private actors are beginning to add a new dimension to the complex relationship between outer space and humankind. In the not-too-distant future, the international community will be required to deal with the question of private property rights in outer space. How we deal with these challenges will shape the future of humankind in very real and existential ways. Human aspirations have already reached beyond the sky's limit, yet the heights of what we may achieve together remain uncharted.

Questions to consider from your government's perspective on this issue include the following:
- How can the concerns of nations regarding intelligence-gathering imagery be balanced against benefits of high-resolution imaging for weather monitoring and disaster detection/response?
- How should commercial exploration and use of space be regulated?
- Should international organizations offer incentives to private entities to engage in research and exploration of outer space?

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## EFFECTS OF ATOMIC RADIATION

Whether from the generation of electricity, medical devices and diagnostics, nuclear weapons or natural background radiation, we are all exposed to varying degrees of radiation over our lives. The harmful effects of radiation were not fully understood at the dawn of the Nuclear Age in 1945. As society grew to understand the harmful effects of radiation exposure, including nausea, burns, increased risks of cancers and death, the international community agreed that coordinated action was necessary to better understand the effects of atomic radiation and to collect information about exposures of civilian populations to atomic radiation.

In 1955, the UN General Assembly established the Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) to standardize collection of data on exposure and disseminate information about its effects. UNSCEAR reports to the General Assembly Fourth Committee. In 1957, the United Nations created the International Atomic Energy Agency (IAEA) to oversee safeguards and confidence-building measures and to implement verification measures as States pursue nuclear technologies. Together these bodies provide knowledge and assistance to States, most recently highlighted in the technical and scientific assistance rendered during and in the aftermath of the Fukushima Daiichi nuclear disaster.

Since its creation, UNSCEAR has played a significant role in shaping the public debate on the effects of atomic radiation. Shortly after its inception, the Committee published two landmark reports that served as the scientific basis for the 1963 Partial Test Ban Treaty. In the decades that followed, UNSCEAR emerged as the de facto standard-setting authority on safe levels of radiation and the effects of ionizing radiation on people and the environment. This complements the IAEA's work, which focuses on how nuclear technology is applied for secure, peaceful and safe uses. For example, the IAEA studies the engineering processes and safeguards that worked or failed, updating best practices and international standards accordingly.

On 26 April 1986, a series of explosions destroyed the Chernobyl nuclear power plant located in present-day Ukraine. After the accident

authorities evacuated approximately 115,000 people in the immediate area surrounding the plant, and later another 220,000 people in Belarus, the present-day Russian Federation and Ukraine. UNSCEAR has followed sample groups from the exposed population for evidence of the effects of their potential exposure. Their studies after the Chernobyl disaster estimated that about thirty workers died as a result of acute radiation exposure and six thousand cases of thyroid cancer have been linked to exposure from Chernobyl. With an estimated direct and indirect cost of over $200 billion U.S. dollars, the disaster crippled an entire region with economic, health and environmental damages that continue to this day.

Over the past two years the subject of the effects and costs of atomic radiation have once again come to the forefront following the 9.0 magnitude earthquake off the eastern coast of Japan on 11 March 2011. In the aftermath of the earthquake and subsequent tsunami, a disaster unfolded as the Fukushima Daiichi nuclear power plant experienced a series of failures. UNSCEAR mobilized to assist the Japanese scientific and medical communities to address the repercussions of the meltdown at Fukushima, lending its expertise and knowledge. A preliminary study by UNSCEAR found that the general public was largely protected due in large part to prompt evacuation orders. Scientists hope that this report will alleviate some of the fear of widespread nuclear fallout. UNSCEAR expects to provide a final report to the Fourth Committee this year. The international community should use the report as a point of reflection, examining the costs of radiation exposure and possibility of new safeguards. The general public's faith in nuclear energy has been shaken, with many States vowing to abandon the technology altogether. A sudden and dramatic shift in the method of energy generation in the aftermath of this single disaster has serious implications, especially for climate change.

Ahead of the General Assembly, UNSCEAR will issue two reports: one providing its final findings from Fukushima and a second detailing the unique risks to children from atomic radiation. The Fourth Committee is expected to consider the information provided by UNSCEAR and determine if action is required. Most imminently, UNSCEAR must review and address the findings of the final report on Fukushima. With an estimated cost of over $250 billion, this disaster has dire ramifications far beyond the immediate and future health effects.

There also are lingering questions about the risks unique to children from atomic radiation as well as the scope and effects of naturally occurring sources of radiation. While less publicized than Fukushima, Member States will also be expected to evaluate the report provided by UNSCEAR and determine if any actions are required. With a sudden renewal of focus on the question of the effects of atomic radiation, the international community must prioritize its concerns, increase cooperation and appropriate resources accordingly. An international debate and standardization of nuclear liability laws could renew faith in the safety of nuclear power if people believe that the threat of damages would spur companies to maintain the highest safety standards.

Questions to consider from your government's perspective on this issue include the following:
- What steps should the international community take in the wake of events at the Fukushima reactor?
- What more can the international community do to limit the risks of atomic radiation? How can this risk be balanced against other issues, like the need for energy resources?
- Who is financially responsible for assisting those harmed by the effects of atomic radiation?
- Are additional measures necessary to protect children from the effects of atomic radiation?

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## PURVIEW OF THE SPECIAL COMMITTEE ON PEACEKEEPING OPERATIONS

The Special Committee on Peacekeeping Operations (SCPKO) of the United Nations was established by the General Assembly in 1965 and reports to the General Assembly on its work through the Fourth Committee (Special Political and Decolonization). The Special Committee is charged with comprehensively reviewing all issues relating to the management and operation of peacekeeping missions but is not able to create peacekeeping operations or to alter the mandates given by the Security Council. It additionally provides supervisory oversight of the Department of Peacekeeping Operations. The Special Committee meets annually and provides recommendations on a wide variety of issues related to peacekeeping. While the Fourth Committee of the General Assembly also has a responsibility to oversee the management of peacekeeping operations, the Special Committee effectively plays this function, periodically reporting back its recommendations for action to the General Assembly. For the purposes of this simulation, the Special Committee will report to the General Assembly Combined Plenary.

**Website:** www.un.org/en/peacekeeping/ctte/CTTEE

## CONDUCT AND DISCIPLINE OF PEACEKEEPING PERSONNEL

The United Nations Charter authorizes the Security Council to take collective action in order to facilitate the establishment of stability, maintain order and protect the global community; often, the Security Council responds to these needs through peacekeeping operations (PKOs). Peacekeeping is a powerful tool available to the United Nations in promoting and sustaining its mission. Since 1948, there have been 67 peacekeeping operations in nearly as many countries. United Nations peacekeeping operates on three basic principles: consent of the conflicting parties; impartiality; and non-aggression, which means that the PKO will only use force in self-defense or in defense of the mandate. This mandate from the Security Council outlines who a PKO will protect and where. Once given a mandate, the PKO is then under the direction of the Department of Peacekeeping Operations for implementation. Maintaining high standards of conduct and discipline among the peacekeepers is integral to the perceived legitimacy and ultimate success of each PKO.

Prior to 1989, peacekeeping operations were generally directed at enforcing cease-fires between parties and enabling political solutions to violent conflicts. Early missions were unarmed or lightly armed forces sent to monitor situations on the ground. Peacekeeping forces were not fully armed until 1956 when the first UN Emergency Force (UNEF I) was authorized in response to the Suez Crisis. This marked a shift in peacekeeping policy from observation and monitoring to more of a responsibility to act and protect.

In 1990, the mission and makeup of peacekeeping forces changed, and the number of peacekeeping operations skyrocketed. While prior to 1989 most PKOs were designed to respond to interstate conflict, in the 1990s PKOs began to deal increasingly with civil wars and other intrastate conflicts. With this change in mission, the composition of peacekeeping forces also changed, adding an array of legal experts, humanitarian workers and observers, election monitors, and police forces, among other positions. The peacekeeping operations became more involved and complex. With increased demand, complexity in mandate, and often insertion in areas where conflict has not been fully resolved, the conduct and discipline of peacekeeping personnel has become ever more important and more difficult to manage.

Despite a renewed focus on peacekeeper conduct, abuses by peacekeepers continue to come to light, especially considering areas where children are involved. In 1996, a study on the impact of armed conflict on children documented a rise in child prostitution with the arrival of UN peacekeepers in several conflict zones. There are over 2,000 documented cases of sexual assault or abuse by UN peacekeepers, as well as a significant number of murders. There are also allegations of various other crimes; for example, third party investigations have alleged that UN peacekeepers in the Democratic Republic of the Congo engaged in the illegal smuggling of small arms, ivory and gold.

In addition to intentional acts of violence, UN peacekeeping forces have also been involved in negligent acts that have contributed to sickness and death among native populations. The most recent highly publicized instance of this occurred following the 2010 earthquake in Haiti, which experienced its first outbreak of cholera in over 100 years after the Haitian UN mission's mishandling of human waste from Nepalese Peacekeepers caused the harmful bacteria to spread into local water supplies. There had been a recent cholera outbreak in Nepal and none of the soldiers had been tested for the disease.

In 1999, Secretary-General Kofi Annan commissioned the Panel on United Nations Peace Operations to conduct a thorough review of the Department of Peacekeeping Operations (DPKO). The stated goal was to ensure that peacekeepers be able to carry out their mandate professionally and successfully and make recommendations on needed reforms. The Panel's report, widely known as the "Brahimi Report," called for extensive institutional changes. The establishment of the Conduct and Discipline Unit in 2005 to respond to allegations of inappropriate behavior by UN troops was among these reforms. Conduct and Discipline Teams are embedded in various operations globally, striving to ensure that all peacekeepers maintain the high standards of the United Nations and do not in any way violate their code of conduct. The Capstone Doctrine, established in 2008, provided new guidelines and principles for accountability of UN peacekeeping personnel. A system to provide restitution to victims of crimes committed by UN peacekeeping personnel was also created in 2008.

Five years after the announcement of the Capstone Doctrine, the international community has an opportunity to reflect on how well the DPKO has implemented the new guidelines established in 2008, as well as examine how effective these guidelines have been in improving the conduct and discipline of UN peacekeeping personnel. Furthermore, Member States will need to consider whether and how the United Nations or peacekeeping personnel should be held

accountable for harm caused to local populations if there is evidence of negligence. Member States will also need to consider other actions, such as training and support, which can improve conduct by increasingly diverse peacekeeping forces with widely varying missions. Regardless of locations and mandate, appropriate conduct and discipline are essential for peacekeeping operations to maintain legitimacy on the world stage and for individual peacekeeping missions to effectively carry out their mandates. With an increase in the number of operations managed by the DPKO, it is more important than ever for peacekeepers to act with dignity and responsibility.

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

- How effective have the new principles and guidelines for UN peacekeepers been? Are there areas where further work is needed?
- How can the international community ensure that peacekeepers are adequately trained, both before joining UN missions and while deployed?
- If UN peacekeepers cause harm through their own negligent behavior, who should be able to hold them accountable, and under whose laws?

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## PROTECTION OF CIVILIANS

Until the 1990s, UN peacekeeping operations did not typically have a mandate to protect civilians. The events of the early 1990s, particularly in Rwanda and the Balkans, led to a radical rethinking of the role of United Nations peacekeeping missions. Historically, Peacekeepers were used as buffer forces and observers were limited to ceasefire enforcement at the end of a conflict. Over the last two decades, peacekeeping mandates changed, and operations were increasingly asked to take a more active role in creating peace – an activity frequently referred to as peace enforcement. The Security Council, which authorizes peacekeeping operations and sets their mandates, first requested that UN peacekeepers work to actively protect civilians during the creation of the United Nations Mission in Sierra Leone (UNAMSIL) in 1999. In authorizing UNAMSIL, the Security Council authorized the Department of Peacekeeping Operations (DPKO) to use coercive force, if necessary, to protect civilians.

This was a significant shift in how the UN approached peacekeeping and was part of a general shift from a peacekeeping role to a multifaceted peacemaking, peacebuilding and peace enforcement role. This more complex mandate has forced major reforms of peacekeeping operations and pushed the limits of the DPKO's capacity and expertise. Since 1999, protection of civilians during armed conflict has improved, but the issue requires continued attention from the international community as a concern demanding address.

Many abuses of civilians during armed conflict correlate to the failure of multiple parties, state actors and non-state actors, to adhere to national and international laws against the violation of human rights. Recent UN reports show that armed conflict resulting in heavy loss of civilian life and other capital continues to be a global problem. Conflict areas such as Syria, the Democratic Republic of the Congo, Libya, Sudan, Somalia and the Gaza Strip have incurred and continue to incur a great loss of human life, displacement of persons and destruction of capital by both state and non-state actors.

The interest in protecting civilians, particularly in areas where an armed conflict is occurring, has led to a cross-agency effort. In the UN, these actions are pursued by the Office for the Coordination of Humanitarian Affairs, the Office for the United Nations High Commissioner for Refugees, and a number of Expert Groups called by the Secretary-General and expressly mandated to keep the Security Council and General Assembly informed of developing situations. However, DPKO has primary responsibility for successful operations. Cooperation with other entities strengthens the probability for success of peacekeeping operations, so long as these multi-platform efforts are coordinated with efficiency and high levels of organizational skill.

Of particular interest is the ongoing debate over the Responsibility to Protect (R2P). Outlined in the Outcome Document of the 2005 United Nations World Summit, R2P is a set of principles describing the obligations States have to protect their citizens from mass

atrocities. Additionally, the R2P doctrine specifies that the international community has an obligation to intervene when a State is unwilling or unable to prevent mass atrocities against its citizens. The endorsement of this doctrine by Member States at the 2005 World Summit signaled an increased role for UN peacekeeping missions to protect civilians, particularly in situations of intra-state armed conflict. While the R2P framework was endorsed, it is still contested by some Member States. Exploring and defining the DPKO's role under R2P will be an issue that the Special Committee will need to consider this year and in future years. While the Security Council includes protection of civilians in a mandate, it is the DPKO that actually runs the peacekeeping operation. The Special Committee provides oversight over the management and operations of DPKO and is within its power to help determine to what degree and in what ways peacekeepers implement a protection of civilians mandate. This includes making recommendations on how a peacekeeping operation should react in the face of potential crimes against humanity. It is likely that peacekeeping operations will gain an even greater role in protecting civilians in conflict and post-conflict regions.

In addition to continuing to offer recommendations on how the DPKO can incorporate the principles of R2P, several other areas merit consideration from the committee. Numerous UN studies have shown that women and children are at particular risk during periods of armed conflict. Peacekeeping missions will need to adapt to ensure that women and children are not injured, killed or sexually exploited during conflict and post-conflict situations, though it is still unclear what steps will need to be taken. Finally, Member States may want to consider whether the DPKO is adequately implementing the steps recommended by the Secretary-General and the Security Council in the fourth Aide Memoire for the consideration of issues pertaining to the protection of civilians in armed conflict. While not all peacekeeping missions occur in situations of armed conflict, many of the principles are directly relevant to UN peacekeeping operations. Most recently updated in 2010, the Aide Memoire offers practical guidance on protecting civilians. Yet the document's informal nature means that no formal review has examined whether its recommendations have been implemented or whether the recommendations could be viably implemented by the DPKO.

Questions to consider from your government's perspective on this issue include the following:
- Are there additional steps the DPKO should take to protect civilians, particularly in conflict and post-conflict situations?
- How should peacekeeping missions incorporate principles of Responsibility to Protect? Are there areas of activity where R2P has not been adequately integrated into the DPKO's work?
- How should the United Nations ensure that women and children are adequately protected during peacekeeping missions?

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# 6 CHAPTER SIX
# THE ECONOMIC & SOCIAL COUNCIL

## MEMBERS OF THE ECONOMIC & SOCIAL COUNCIL

| | | |
|---|---|---|
| ALBANIA | ETHIOPIA | NEW ZEALAND |
| AUSTRIA | FRANCE | NICARAGUA |
| BELARUS | GABON | NIGERIA |
| BENIN | HAITI | PAKISTAN |
| BOLIVIA | INDIA | QATAR |
| BRAZIL | INDONESIA | REPUBLIC OF KOREA |
| BULGARIA | IRELAND | RUSSIAN FEDERATION |
| BURKINA FASO | JAPAN | SAN MARINO |
| CAMEROON | KUWAIT | SENEGAL |
| CANADA | KYRGYZSTAN | SOUTH AFRICA |
| CHINA | LATVIA | SPAIN |
| COLOMBIA | LESOTHO | SUDAN |
| CROATIA | LIBYA | SWEDEN |
| CUBA | MALAWI | TUNISIA |
| DENMARK | MAURITIUS | TURKEY |
| DOMINICAN REPUBLIC | MEXICO | TURKMENISTAN |
| ECUADOR | NEPAL | UNITED KINGDOM |
| EL SALVADOR | NETHERLANDS | UNITED STATES OF AMERICA |

## PURVIEW OF THE ECONOMIC AND SOCIAL COUNCIL

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 Crime Prevention and Criminal Justice (CCPCJ) and the Economic Commission for Latin America and the Caribbean (ECLAC). 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:** www.un.org/en/ecosoc/

## POVERTY ERADICATION

The international community has achieved great progress in reducing poverty around the world. Since 1990, the number of people living in extreme poverty—defined by the United Nations as living with less than $1.25 per day—has been halved. This is a great achievement, but the challenge is not over: 1.2 billion people, roughly one-fifth of the world's population, continue to live in extreme poverty. The gains are not even: Sub-Saharan Africa has more than twice the amount of people living in extreme poverty compared to three decades ago. Though it has seen improvements in the last several years, Sub-Saharan Africa accounts for more than a third of the extreme poor globally. Every Member State has a vested interest in this topic, but least developed countries and lower middle income countries are affected the most.

Eradication of poverty has been a priority of the United Nations since its conception, though the issue became an increasing focus of the organization in the 1990s. In 1996, the General Assembly declared the First United Nations Decade for the Eradication of Poverty, which served to focus international attention on the issue. It also prioritized eradication of poverty as an issue for the UN technical and specialized agencies, which are coordinated by the United Nations Economic and Social Council (ECOSOC). While some of these agencies, like the United Nations Development Programme (UNDP), have traditionally worked directly on issues related to ending poverty, others like the World Health Organization (WHO), the World Bank Group and others are increasingly focused on the issue as well.

Ending extreme poverty became a central priority with the establishment of the Millennium Development Goals (MDGs) at the Millennium Summit in 2000. The first Millennium Development Goal set an international target of halving the number of people living in extreme poverty by 2015. The other seven MDGs set targets in education, gender equality, food security and other issues that help improve the human condition (and contribute to the eradication of poverty). The international community has seen tremendous success in meeting the MDGs. The most recent progress report from the UN Secretariat suggests that many of the targets, including the poverty reduction goal, will be met by 2015.

Yet the international community must continue to work on ending poverty and preventing gains from being lost. As ECOSOC has made clear in its recent resolutions, poverty is a complex issue, with numerous contributing factors. Armed conflicts around the world have threatened to send populations back into extreme poverty. Recently, the UN and the World Bank joined forces in the Great Lakes campaign to help prevent extreme poverty in a region previously wracked by conflict. The campaign will allocate 1 billion U.S. dollars in new funds for infrastructure projects, health and education services and cross-border trade in the Great Lakes region of sub-Saharan Africa as an incentive to keep peace and security in countries with conflicts. It is uncertain as to whether or not this will truly make a difference as the campaign will focus on the countries destabilized by conflict. It has been a difficult feat to

accomplish in the past as these countries are extremely vulnerable to relapse when conflict returns.

Major disruptions to social services and to markets can drive families and communities back into poverty. Food prices have been rising more dramatically since 2008. Since the world's poorest households spend the largest share of their income on food staples, this rise in price has had a disproportionately negative effect on them.

In 2015, the international community will reconvene to establish a new set of internationally-agreed development goals that will extend through 2030. Ahead of that meeting, the international community will need to assess the progress that has been made and determine which issues it will prioritize for the next 15 years. There is an emerging international consensus that ending extreme poverty—not merely halving it—is a worthy goal for 2030. In May 2013, the High Level Panel of Eminent Persons on the Post-2015 Development Agenda (HLP) released its report. Throughout, the HLP makes clear that ending extreme poverty should be the top priority of the international community. While it is not particularly contentious that extreme poverty should be reduced wherever possible, Member States may disagree on the methods by which poverty reduction should be accomplished. Options include fostering general economic growth, official development assistance, foreign direct investment, improving access to financial tools such as banking and many more.

The global financial crisis continues to erode gains against poverty and has disproportionally affected the poorest States. Concerns over sovereign debt have made increasing government spending unattractive in many developed States. With the fight against poverty stalling and funding tight, ECOSOC must consider how to protect the gains it has won while also making continued progress. If the international community is to achieve its MDG targets for poverty eradication, those that have recently transitioned out of extreme poverty must continue to receive support and consideration. Social entrepreneurs and non-profits are increasingly applying novel technology and techniques that act as service multipliers, allowing them to do more with the same resources. Identifying these technologies and their applications and supporting their use with financial incentives and awareness is vital. If poverty is to be eradicated, the international community must continue to take a holistic approach to the issue, addressing infrastructure, macroeconomic regulations and trade barriers, health, and education. This broad mission mandates close cooperation amongst the different bodies of the UN and its many partners. ECOSOC must go beyond just prioritizing poverty eradication for the Post-2015 Development Agenda and be prepared to outline key policy options and strategies for minimizing redundancy while maximizing impact.

Questions to consider from your government's perspective on this issue include the following:
- How can ECOSOC expand on the recommendations brought forth by the HLP?
- What support can the international community offer for promising techniques or technologies for combating poverty?
- How can the UN strengthen its leadership role in promoting international cooperation for development and its role at the regional level?

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## PROMOTING EFFORTS TO ELIMINATE VIOLENCE AGAINST MIGRANTS, MIGRANT WORKERS AND THEIR FAMILIES

People often seek opportunities outside their homeland in order to better their lives and the lives of their families. These migrants are often those who are unable to find work within their borders, move between countries seeking seasonal work, or find more attractive remuneration for their skills abroad. There are currently an estimated 214 million international migrants representing 3 percent of the world's population. This number includes all persons living outside of their home country, including voluntary migrants as well as refugees. Generally, however, UN initiatives address the specific challenges presented by refugee populations through different mechanisms than

the ones meant to address the issues of migrants and migrant workers.

Most countries are involved in migration issues as a sending country (those with large numbers of citizens living and working abroad), as a transit country (countries through which migrants travel before reaching their final destination), or as a receiving country (countries in which migrants live and work). At the level of international concern, attention must be given not only to generalized political or economic issues but also to the guarantee of basic human rights, personal security and health of individuals and groups, as migration reflects the increasingly complex movement between States. Around 60 percent of migrants move either between developing or between developed countries, while 37 percent migrate from developing to developed countries and only 3 percent migrate from developed to developing countries.

Though migrants include people who leave their home country voluntarily and legally, many migrants from vulnerable populations do so without documentation or legal status, which makes it virtually impossible to know the size of migrant populations between countries. Furthermore, migrants, migrant workers and their families are vulnerable to abuse, violence, and exploitation during all stages of the migration process, from preparation, departure, transit, through the duration of their stay until the return to their State of origin. Undocumented or irregular migrants are especially vulnerable. They face several challenges, including the inability to seek protection or relief from the governmental authority of the State in which they find themselves. In most cases, migrants are denied basic labor protections, guarantees of due process, personal security and health care. They also often face extended detention or mistreatment, unsafe working conditions due to operating outside of workplace safety laws and, in some cases, enslavement, rape and murder. Undocumented migrants are also more likely to be targeted by unscrupulous employers, sexual predators, criminal traffickers, and smugglers. Some migrant rights groups have also claimed, however, that the increased correlation of "migrant" with "illegal" has also increased violence directed toward populations of legal, documented migrants, especially in countries with weak economies, high unemployment, and large numbers of ethic and religious minorities.

The United Nations General Assembly (UNGA) has strongly condemned criminal acts against migrant workers and has called for adherence to the Universal Declaration of Human Rights and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Convention on Migrant Workers Rights was drafted beginning in 1980, and signed in 1990, but did not enter into force until it was ratified by 20 States in 2003; currently 46 Member States have ratified the Convention. This Convention creates a worldwide standard in terms of migrants' access to fundamental rights in areas including, but not limited to, labor markets, education and court systems. To date, most of the States that have ratified the treaty are sending countries rather than transit countries or receiving counties, reflecting widely differing attitudes toward migrants in different States. Even so, many other human rights conventions provide rights to migrants, and if States have ratified other human rights treaties and conventions, they still must adhere to those standards when dealing with migrants.

Because of the diversity of migrants and their political and economic circumstances, migrant issues are diverse, inextricably linked to a host of other contemporary international concerns. Recently, the United Nations has focused its attention on the increasingly alarming situation of smuggling and trafficking of migrants. The Smuggling of Migrants Protocol (ratified by 122 States as of 5 January 2010) established global norms on smuggling migrants that go beyond the existing human rights obligations of States. As border control laws become more stringent, migrants are turning to riskier paths in order to cross secured borders. Migrants using these riskier routes or methods of transport may lose their lives or become victims of human trafficking. Smuggling by sea, while only accounting for a small number of smuggled migrants, results in a disproportionally high number of deaths among migrants in transit.

As the status of migrants and their safety continues to evolve, the United Nations General Assembly, the Economic and Social Council (ECOSOC), and the United Nations Office on Drugs and Crime (UNODC) have sought solutions to the violence to which these migrants fall prey. In July of 2012, UNODC assumed chairmanship of the Global Migration Group (GMG). Created by former United Nations Secretary-General Kofi Annan in 2006, this group is comprised of 14 UN agencies and its aim is to improve the management of cross-border migration as well as promote further research and development in all issues relating to migration. Currently, the inter-agency organization is promoting a wider application of all relevant and international regional instruments relating to migration. The GMG is also encouraging a more coherent, comprehensive and better-coordinated approach to the complex problem of international migration.

ECOSOC, along with its regional and functional commissions, will continue to be central to these discussions, especially as they are related to human rights concerns. In 2010, the 12th United Nations Congress on Crime Prevention and Criminal Justice took place in Salvador, Brazil. One of the eight substantive issues discussed at the Congress was the issue of violence against migrants and their families. The working paper produced by the Conference includes both analysis of emerging issues and discussion of recommended actions at the national and international levels. ECOSOC is now in a position to take action on some of these recommended items as well as to address the issue of violence toward migrants in a comprehensive manner. Some of the impediments to the UN's efforts to combat violence against migrants and their families include the disconnect between policies and strategies in sending, transit and receiving states, the ways Member States classify migrants as well as the lack of infrastructure to address transnational concerns.

Questions to consider from your government's perspective on this issue include the following:
- What international, regional or sub-regional mechanisms or standards can be established to address the classification and documentation of migrants and migrant workers?
- How can the international community encourage cooperation between sending, transit and receiving countries on the issue of migrants?
- How can the international community encourage the adoption of best practices regarding the prevention of violence against migrants, migrant workers and their families?

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# CHAPTER SEVEN
# ECONOMIC COMMISSION FOR LATIN AMERICA & THE CARIBBEAN

## MEMBERS OF THE ECONOMIC COMMISSION FOR LATIN AMERICA & THE CARIBBEAN

| | | |
|---|---|---|
| ANGUILLA (UNITED KINGDOM) | EL SALVADOR | PERU |
| ANTIGUA & BARBUDA | FRANCE | PORTUGAL |
| ARGENTINA | GERMANY | PUERTO RICO |
| ARUBA (NETHERLANDS) | GRENADA | (UNITED STATES OF AMERICA) |
| BAHAMAS | GUADELOUPE (FRANCE) | REPUBLIC OF KOREA |
| BARBADOS | GUATEMALA | SAINT KITTS & NEVIS |
| BELIZE | GUYANA | SAINT LUCIA |
| BOLIVIA | HAITI | SAINT VINCENT & THE GRENADINES |
| BRAZIL | HONDURAS | SPAIN |
| BRITISH VIRGIN ISLANDS (UNITED KINGDOM) | ITALY | SURINAME |
| CANADA | JAMAICA | TRINIDAD & TOBAGO |
| CHILE | JAPAN | TURKS AND CAICOS ISLANDS |
| COLOMBIA | MARTINIQUE (FRANCE) | (UNITED KINGDOM) |
| COSTA RICA | MEXICO | UNITED KINGDOM |
| CUBA | MONTSERRAT (UNITED KINGDOM) | UNITED STATES OF AMERICA |
| CURAÇAO (NETHERLANDS) | NETHERLANDS | UNITED STATES VIRGIN ISLANDS |
| DOMINICA | NICARAGUA | (UNITED STATES OF AMERICA) |
| DOMINICAN REPUBLIC | PANAMA | URUGUAY |
| ECUADOR | PARAGUAY | VENEZUELA |

## PURVIEW OF THE ECONOMIC COMMISSION FOR LATIN AMERICA & THE CARIBBEAN

The Economic and Social Commission for Latin America and the Caribbean (ECLAC) is one of five regional commissions of the Economic and Social Commission and represents countries in both Latin American and the Caribbean. ECLAC supports the economic development of its member states by reinforcing economic relationships among its members and other countries of the world. It does so by promoting developmental cooperative activities and projects of regional and subregional scope, bringing a regional perspective to global problems and translating global concerns at the regional and subregional levels. ECLAC also has as one of its primary objectives the promotion of the region's social development.

**Website:** www.eclac.cl/default.asp?idioma=IN

## SUSTAINABLE DEVELOPMENT AND HUMAN SETTLEMENTS

Latin America and the Caribbean has long been a global leader on sustainable development, in part because of the unique role the Amazon and other rainforests play in the region. Maintaining biodiversity has been a priority, and every Member State in the region has ratified the 1992 Convention on Biological Diversity. Some Member States in the region have even enshrined environmental protections into their constitutions. This emphasis on sustainability has created tension with the rapid and intense urbanization in the region. Over the last two decades, Latin America and the Caribbean has become the most urbanized region in the world, with more than 80 percent of the population living in urban areas. The process has been accelerated by the migration of tens of millions of people who have moved from rural areas to cities across Latin America. UN-HABITAT projects that 90 percent of the population in Latin America and the Caribbean will live in urban areas by 2050; Brazil and the Southern Cone will reach 90 percent urbanization by 2020.

While urbanization offers potential benefits—increased individual earnings, the growth of industry and easier access to and delivery of social services— for both citizens and governments, there are also serious challenges. The intense concentration of people in urban areas has serious, deleterious effects on the environment. Urban areas produce large amounts of solid and hazardous waste, increase air and water pollution, and degrade coastlines and rivers. Urban dwellers tend to consume more food, energy and durable goods than rural populations. Diseases tend to spread more readily in urban areas than rural areas. Natural disasters do significantly greater damage in urban areas, where population density is greater. Finally, overcrowding, lack of infrastructure and urban sprawl all tend to disproportionately affect the poorest urban populations.

In response, governments are increasingly developing sustainable urban development policies aimed at ensuring that the environment is protected and that all members of society benefit from urbanization. The discussion on the issue began in earnest in 1992, when the United Nations held the UN Conference on Environment and Development (the Rio Earth Summit) in Rio de Janeiro, Brazil. While there had been previous UN conferences on environmental issues, the Rio Earth Summit sought to create a new paradigm of development that balanced social and economic progress with environmental protection. The meeting was widely attended by heads of state and government, and the new paradigm of sustainable development has since become a core tenet of the United Nations' work around the world. The Rio Earth Summit also produced Agenda 21, a global action plan for sustainable development.

Following the Rio Earth Summit, much of the work on sustainable development shifted to UN specialized and technical agencies, to regional bodies like the Economic Commission for Latin America and the Caribbean (ECLAC) and to Member States. Building upon Agenda 21, many Member States prepared national action plans or strategies to integrate sustainable development into the work of their governments. These sustainable development strategies almost inevitably rely on urbanization. Years of UN data suggest that urbanization

is strongly linked to economic development. Consequently, much of Member States' work on sustainable development is focused on creating sustainable cities. UN specialized agencies have played a supporting role by offering governments expertise, technical capacity-building and programmatic assistance in implementing their national goals. UN-HABITAT has provided the most support, though its work is primarily focused on providing expertise and technical assistance. The United Nations Environment Programme and the United Nations Development Programme offer on-the-ground programmatic assistance, helping countries develop national efforts in areas like sustainable forestry bio-fuel and sustainable agriculture.

In 2004, ECLAC held a meeting of ministers responsible for housing and urban development focused on sustainable development of human settlements. The meeting focused on three key areas: supporting the development of employment and dynamic urban economies, addressing issues related to slums, and improving land-use planning. To support governments working in these areas, ECLAC has included sustainable development and human settlements as a component of its programme of work. In 2010, the ECLAC Secretariat released its most recent iteration, which focused efforts in two areas: (1) assisting the region to prepare for and adapt to climate change, including through disaster risk reduction, and (2) assisting governments to integrate sustainability criteria into public policies, particularly urbanization policy, land-use policy and environmental management. ECLAC is also working with other regional organizations to ensure that sustainability is an issue considered in trade discussions in the region. In 2012, the United Nations returned to Rio de Janeiro for the United Nations Conference on Sustainable Development (Rio+20). Rio+20 reviewed the progress achieved since the Earth Summit and proposed an ambitious new agenda on sustainable development. ECLAC will need to consider how the Rio+20 outcome document changes work in the region on sustainable development, if at all.

This year, ECLAC will need to reconsider its priorities and determine what new or emerging issues might warrant being addressed. Unemployment is at near-record lows in Latin America, and the body might consider what alternative initiatives could further spur economic growth while balancing protection of the environment. Disaster risk reduction continues to be a major area of interest, yet little action has been taken to insulate the region's urban areas from the effects of climate change. While Latin America has not suffered as badly as other world regions, creating sustainable urban development will continue to be a challenge in the region. Above all, ECLAC will need to consider how to balance its continued rapid urbanization with protecting the quality of the environment, particularly the Amazon and its unique biodiversity.

Questions to consider from your government's perspective on this issue include the following:
- How can the region best balance economic growth, environmental quality and social equity?
- How can Member States better incorporate sustainability into their policies at all levels? What policies are emerging as best practices that might be applicable for the region?
- How can the region spur economic growth while protecting environmental quality and biodiversity?

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## REGIONAL CONFERENCE ON WOMEN IN LATIN AMERICA AND THE CARIBBEAN

In the region and around the world, women face more limited access to education, employment and political representation than men. Women comprise only 22 percent of the region's political leaders. Without adequate representation in the political environment, women are often subject to the whims of their government without the ability to shape the agenda. Economically, women remain in risk of poverty due to the lack of employment opportunities and are often not paid for domestic work. Women in the region enjoy only about 60 percent of the economic prosperity of men and also face disparity in access to agricultural resources. In the developing world, land farmed by women typically produces 20 to 30 percent less yield than land farmed by men. Although progress has been made in the areas of economic participation, education and political representation, there is still a considerable disparity between men and women globally.

While gender equality has long been on the agenda at the United Nations, it only became a major international priority following the

1995 Fourth World Conference on Women in Beijing. Since then, the United Nations has taken an increasing interest in pushing Member States to improve gender equality in all areas. Some of this work has been at the political level, including at the UN General Assembly, and through technical support work.

Since the Beijing conference, numerous UN bodies and agencies have taken steps to support gender equality. The UN Trust Fund to End Violence Against Women supports organizations, States, their citizens and other groups that strengthen victims' voices and human rights through engagement and proactive awareness campaigns. The fund works in cooperation with campaigns such as the "UNiTE to End Violence against Women" campaign, which is supported by the Secretary-General. The UN Commission on the Status of Women's most recent Agreed Conclusions strongly urge Member States to condemn violence toward women and girls and to do their best at discovering, securing and prosecuting those accused of such violence so as to end impunity and increase transparency, accountability and the reinforcement of implementing strong legal practices.

ECLAC's work on gender equality has primarily focused on reducing the economic disparities between men and women. The Regional Conference on Women was designed to report and commit to the ideas of gender equality and empowerment in the regions and sub-regions of Latin America and the Caribbean. While not a UN organization, the Inter-American Development Bank (IDB) has been heavily involved in this area, adopting in 2010 an Operational Policy on Gender Equality and Development. The IDB contributes funds toward monitoring the participation of women in political institutions; originates direct loans and grants to organizations that promote gender equality; and works to mainstream gender equality into all its loans. At the 2012 session of the Meeting of Ministers for Women's Affairs for ECLAC, the body declared that future goals regarding economic empowerment, usage of information and communications technologies (ICTs) and gender equality should include physical and economic autonomy for women and an increase in female participation in decision-making. In August 2012 ECLAC adopted a resolution that encouraged greater inclusion in public policy with the goals of strengthening development in the region. It also adopted a second resolution acknowledging progress in supporting gender equality, gender affairs and South-South cooperation within ECLAC.

In the near future, potential actions by ECLAC may involve sustainability initiatives such as long-term national and regional policies that are aimed at fostering human rights, freedoms for individuals, and communities as a whole. Pursuing the eradication of poverty, robust and sustained economic growth, and an increased quality of growth as it relates to the decrease in HIV/AIDS infection rates among women are all potential means of creating a more just and equitable civil society. Although much progress has been made toward greater education and empowerment of women, the work is not yet completed: there is a need for better provision of access and resources. One area of opportunity to close the economic gender gap in the region is through providing better resources to women farmers. Transfer of technology within Latin America and the Caribbean could also be used to specifically benefit women. Promotion of intra-regional cooperation among regional and sub-regional Member States will lead to better opportunities to advance the issues that women face and will better implement the mainstreaming of gender equality and women's empowerment.

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

How can regional Member States effectively promote gender equality mainstreaming? What aspects of Latin America and the Caribbean will present unique challenges and opportunities in the area of improving gender equality?

- How can ECLAC cooperate with private regional organizations such as the Inter-American Development Bank to amplify the effect of its policies regarding economic development and gender equality?
- In which ways does the empowering of women promote sustainable economic growth for Member States?

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# 8 CHAPTER EIGHT
## COMMISSION ON CRIME PREVENTION & CRIMINAL JUSTICE

## MEMBERS OF THE COMMISSION ON CRIME PREVENTION & CRIMINAL JUSTICE

| | | |
|---|---|---|
| ALGERIA | GHANA | RUSSIAN FEDERATION |
| ARGENTINA | INDONESIA | SAUDI ARABIA |
| AUSTRIA | IRAN, ISLAMIC REPUBLIC OF | SIERRA LEONE |
| BAHAMAS | ITALY | SOUTH AFRICA |
| BELARUS | JAPAN | SWITZERLAND |
| BRAZIL | KENYA | THAILAND |
| CAMEROON | MAURITIUS | TUNISIA |
| CHINA | MEXICO | UGANDA |
| COLOMBIA | NAMIBIA | UNITED ARAB EMIRATES |
| CROATIA | NIGERIA | UNITED KINGDOM |
| CUBA | NORWAY | UNITED STATES OF AMERICA |
| CZECH REPUBLIC | PAKISTAN | URUGUAY |
| DEMOCRATIC REPUBLIC OF THE CONGO | PERU | |
| GERMANY | REPUBLIC OF KOREA | |

## PURVIEW OF THE COMMISSION ON CRIME PREVENTION & CRIMINAL JUSTICE

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is an ancillary body of the Economic and Social Council, and primarily responsible for the Crime Prevention and Criminal Justice program. The Commission is charged with coordinating international efforts to combat national and transnational crime and utilizing criminal law to address such problems as threats to the environment, youth crime and urban violence. Additionally, the Commission is responsible for promoting the efficiency, integrity and impartiality of criminal justice systems. The Commission meets on an annual basis to discuss these areas of concern and reports its findings and recommendations.

**Website:** www.unodc.org/unodc/en/commissions/CCPCJ/index.html

## RATIFICATION AND IMPLEMENTATION OF THE UNITED NATIONS CONVENTION AGAINST CORRUPTION

Corruption in both the public and private sectors continues to be a global problem, especially in the developing world. The UN and the World Bank estimate that bribes, misappropriation of aid funds and other forms of corruption cost developing economies 20 to 40 billion U.S. dollars per year. Capital that could be used to improve national infrastructure, aid the poor, fight widespread disease or any number of other worthwhile development projects is used instead to finance the largesse of those in power. Corruption is a problem in the developed world as well, although private sector corruption and tax evasion are more serious issues than public sector corruption. Private entities in developed countries are also crucial to laundering and concealing stolen funds from developing countries.

The idea for a legal instrument to counter corruption was first introduced in 2000. Politicians and experts realized that corruption undermines democracy, sustainable development and the rule of law. The United Nations Convention against Corruption (UNCAC) was adopted by the General Assembly on 31 October 2003. It entered into force 14 December 2005, and there are currently 165 States Parties. The UNCAC has four priorities: prevention, criminalization, international cooperation and asset recovery. Prevention includes measures to stop corruption before it occurs,

such as transparency at elections and the adoption of official government corruption bodies. Criminalization requires countries to cover forms of corruption that are more heinous, like the bribing of judges. International Cooperation monitors the status of countries working together to address acts of corruption. The final area, asset recovery, is a new development in international law, focused on the reparation of assets that corrupt regimes have laundered offshore. This is a particularly important issue for many developing countries where high-level corruption has emptied national treasuries.

Implementation by States Parties is evaluated through the Mechanism for the Review of Implementation of the UNCAC, overseen by the Conference of the States Parties to the UNCAC (COSP). The Mechanism is voluntary and utilizes a combination of self-assessment, peer review by other States Parties and, if the peer reviewer so requests, participation by civil bodies and academic experts. In the first two rounds of the Review, few States Parties fully completed the process. Analysis by the UNCAC Coalition, a global network of civil society organizations, concluded that inadequate enforcement data and lack of access to data has contributed to the low rate of effective participation in reforms. Some countries choose to publically release very little data on internal corruption, and that makes the task of fighting corruption more difficult. Many Member States have also not taken the necessary legislative or legal steps to enshrine the Convention in domestic law, and civil society participation in the process is minimal. Slow responses to Member States' technical assistance requests have delayed implementation. The financial crisis beginning in 2008 also caused many States to focus efforts elsewhere.

The most recent report of the Conference of States Parties addressed the provision of technical assistance, with recommendations that corruption and prevention initiatives should be specific to the needs of the country and context, and should be tailored without being prescriptive. Many participants stressed the importance of educational programs and awareness-raising activities. Furthermore, the correlation between the implementation of human rights and anti-corruption efforts as mutually reinforcing acts was a major theme. Many civil society organizations called for further exploration of how to encourage the public to report corruption and whether States should establish a duty to report corruption. The issue is complicated, in part by the limited regulation of informal economies and their heightened vulnerability to corruption.

Looking ahead, there are several issues that the Commission on Crime Prevention and Criminal Justice (CCPCJ) should consider addressing: cooperation and extradition, capacity-building, ratification and asset recovery. While the Convention itself provides a legal basis for extradition for specified crimes of corruption, most members report that it has not been widely utilized, and the international community must implement international logistical support for such extraditions. Within the framework of the Convention, International Cooperation outlines how members can work together to aid legal efforts to combat corruption, including through law enforcement cooperation and mutual legal assistance. National legislatures need assistance drafting and passing laws to implement the provisions of UNCAC, and law enforcement and executive officials require training to spot the signs of corruption. Ratification of the Convention is still a concern, and the CCPCJ has led efforts to increase ratification and assist new States Parties with the implementation of the Convention. Several major economic powers and global financial centers have yet to ratify the Convention, undermining its legitimacy and effectiveness.

Creating and implementing robust mechanisms for asset recovery is particularly important for States Parties who have suffered as a result of official corruption, the graft by politicians of national resources, and the tax evasion and money laundering activities of private entities. In September 2007, UNDOC and the World Bank established the Stolen Assets Recovery (StAR) Initiative to encourage and facilitate the return of stolen assets. StAR has helped recover over $5 billion over the past sixteen years, but there is much work to be done in identifying the assets stolen and providing enforceable mechanisms for the recovery of those assets.

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

- What additional steps can be taken to discourage corruption in the private sector?
- How can the CCPCJ encourage and increase logistical and technical support for implementation of the provisions of UNCAC?
- How can the UNCAC increase individual accountability to the commitments of States Parties in completing self-assessments and ensuring the publication and transparency of the reports?
- What steps can be taken to urge Member States to ratify the Convention?

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## INTERNATIONAL COOPERATION FOR THE IMPROVEMENT OF ACCESS TO LEGAL AID IN CRIMINAL JUSTICE SYSTEMS, PARTICULARLY IN AFRICA

Equality before the law is a key principle of modern legal systems. Legal aid supports this principle in the context of criminal justice systems by providing access to legal counsel for those accused of crimes who are too impoverished to afford an attorney. Due to the complexity and specialized knowledge required to navigate criminal justice systems, criminal defendants who must represent themselves in court typically do not receive fair treatment, and are more likely to suffer disproportionately harsh penalties or to be convicted of crimes they did not commit. Additionally, the lack of affordable or publicly provided legal services for criminal defendants contributes to prison overcrowding especially in some developing and post-conflict countries where the majority of the prison population is awaiting trial due to a lack of an effective legal aid program.

Public defense attorneys can also face a dangerous security environment; if they fear for their lives when visiting prisons or courtrooms, for example, they cannot provide effective or consistent representation for criminal defendants. Lack of resources is a constant problem. Even in developed countries, public defenders are severely understaffed and are thus unable to devote adequate time to the representation of each defendant. Finally, if a country's criminal justice system overall is corrupt, improving the effectiveness of legal aid is even more difficult; if lawyers are taking bribes to expedite or delay cases, or the judiciary is corrupt and lacks independence, access to legal aid may not improve outcomes for criminal defendants.

The United Nations has long recognized the importance of access to legal aid for criminal defendants. In Article 11, paragraph 1 of The

Universal Declaration of Human Rights, the United Nations created a standard that every person charged with a penal offense should be granted all the guarantees necessary for his or her defense. Access to legal aid is especially problematic in Africa, where the criminal justice systems of many post-conflict countries face unique challenges. Prior to the CCPCJ's work on this topic, the African Commission on Human and Peoples' Rights (ACHPR) adopted the Dakar Declaration. This document consolidated the fair trial standards of the African Charter and certain relevant decisions of other human rights bodies. In 2003, the African Union adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. The ACHPR also adopted the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa in 2005, which encouraged private legal organizations to provide pro bono assistance. These instruments and discussions eventually led to the adoption of the Lilongwe Declaration of 2004, which supports the right to legal aid in criminal justice and broadens legal aid beyond the notion of legal advice and representation.

After the Lilongwe Declaration, the CCPCJ began to further engage the international community on this issue. Following the adoption of the Declaration, the CCPCJ requested the United Nations Office on Drugs and Crime to convene an open-ended intergovernmental meeting of experts to study mechanisms to strengthen access to legal aid in national criminal justice systems and to explore the development of a declaration of basic principles or a set of guidelines for improving access to legal aid in criminal justice systems. The group met in Vienna, Austria in November of 2011 and produced draft Principles and Guidelines.

In April 2012, the Commission on Crime and Prevention met and adopted the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. This set of eighteen guidelines covers the CCPCJ's recommendations for all stages of the criminal justice process, from the pre-trial stages all the way through post-trial and sentencing. Among other items, the Principles and Guidelines recommend cooperation between private and public organizations; a guarantee that defendants will be informed of the availability of legal aid; leveraging the work of paralegals; and providing training and funding for would-be legal aid attorneys. The Commission also noted that legal aid was especially important for children who are accused of crimes.

Looking ahead, the principle challenge for the CCPCJ will be encouraging Member States to accept and implement the Principles and Guidelines and to offer support to Member States in this endeavor, including providing technical assistance to establish formalized legislation. In an area where funding is often difficult to obtain, the CCPCJ will also need to convince Member States of the importance of access to legal aid to establishing and maintaining the equitable rule of law in each Member State.

Questions to consider from your government's perspective on this issue include the following:
- How can the international community aid other countries in developing their own criminal justice systems? What policy barriers remain to the development of a robust criminal justice system and access to legal aid in your own country?
- How must the rule of law adapt to accommodate regional cultures and traditions while maintaining its core principles of equality before the law and equal access to justice?

- How can the international community encourage the establishment of formalized legislation in each Member State that implements the CCPCJ's Principles and Guidelines?

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## Purview of the International Court of Justice

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 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

## Request for Advisory Opinion: Accordance with international law of the unilateral declaration of independence in respect of Kosovo (Ireland, Iran, Kosovo and Serbia) (2008)

*This is a historical case. In accordance with AMUN rules and procedures, please note that the historical timeline for this case will stop on 1 July 2010. Any and all updates to this case after that date will not be relevant to the AMUN simulation nor considered in hearing the case.*

On 8 October 2008, the General Assembly successfully passed a resolution sponsored by the Republic of Serbia (Serbia) requesting an advisory opinion from the International Court of Justice regarding the legality of Kosovo's 17 February 2008 declaration of independence. Serbia claims that some Member States question the legality of Kosovo's secession and asks that the ICJ hold a further examination on Kosovo's unilateral decision to declare its independence.

This case stems from a long history between ethnic Albanians and ethnic Serbians. Following World War II, the 1946 Yugoslavian Constitution did not recognize an ethnic Albanian nationality nor provide territorial autonomy to Kosovo, a predominantly Albanian region. When the Yugoslavian Constitution was rewritten in 1974, Kosovo was made an autonomous province and federal unit equal to Serbia within Yugoslavia. Amendments to the Serbian Constitution stripped Kosovo's autonomy in 1989. Kosovo's parliament approved these actions.

The 1990s were a period of significant turmoil in the Balkans both during and after the civil war in the Former Yugoslavia. In response to Federal Republic of Yugoslavia President Slobodan Milosevic's continued failure to comply with "the repeated political and humanitarian demands of the UN Security Council in regards to Kosovo," the North Atlantic Treaty Organization (NATO) threatened the use of military force. Following the failure of the Rambouillet Agreement for Kosovar peace and self-governance in 1999, NATO began a bombing campaign in Serbia. This campaign ended with Yugoslavia signing an agreement with NATO. The UN Security Council formalized this agreement in Resolution 1244. That resolution contained provisions affirming the commitment of all Member States to the sovereign and territorial integrity of Yugoslavia, the right of all refugees to return home, and the basis for a Kosovo solution. This resolution also established the United Nations Interim Administration Mission in Kosovo (UNMIK).

In October 2001, the governments of Yugoslavia and Serbia issued a joint declaration stating that NATO had failed to enforce the terms of Security Council Resolution 1244. Additionally, the Yugoslavian and Serbian Parliaments planned a constitutional charter for a new state of Serbia and Montenegro, which would retain Kosovo within Serbia. In response, Kosovo adopted a resolution rejecting unification proposals, precipitating the return of unrest and hostilities to the region. On 17 February 2008, Kosovo unilaterally declared its independence from Serbia. Kosovo's new constitution went into effect on 16 June 2008. In response, Serbia, through the General Assembly, has requested that the ICJ issue an advisory opinion regarding the unilateral action taken by Kosovo. In its request, Serbia argues that the Court has jurisdiction to hear this action and render an advisory opinion as provided under Article 96 of the United Nations Charter.

Serbia claims that Kosovo's unilateral declaration of independence violates international law. Serbia first claims that Kosovo's secession is ethnically motivated and undermines the authority of the UN by removing its interim administration (UNMIK) as provided for in Security Council Resolution 1244. Second, it is a direct violation of the principles of territorial integrity established and protected by Resolution 1244. Third, Kosovo has been engaged in human rights infractions, such as the ethnic cleansing of Serbians and massacring the non-Albanian population, and does not deserve a UN pronouncement of independence. Finally, Serbia argues that UN support for the independence of Kosovo would establish a precedent equating the arrival of UN peacekeeping forces with the first step in a recognized secession.

Kosovo submits that any opinion by the Court that determines Kosovo's declaration of independence to be illegal would cause additional unrest and more turmoil. Kosovo argues that Serbia has lost the right to govern Kosovo due to repeated and brutal human rights infractions. Additionally, in accordance with the understandings of the Rambouillet conference and Resolution 1244, people should be free to align with their chosen political status. Finally, Serbia was never serious in their offers for the autonomy of Kosovo and the promotion of peace in the region. In fact, Serbia confirmed Kosovo as part of the Serbian state in their 2002 Constitution.

A number of other UN Member States have weighed in on this issue. Some opponents point out that, while the General Assembly may have referred this case to the Court, the Security Council should be the requesting organ of the UN, given its passage of Resolution 1244. As the Security Council has neglected to ask for an advisory opinion, the Court should use discretion and not answer the General Assembly's request.

Proponents advance a number of arguments for the Court to find the unilateral declaration of Kosovo to be in accordance with international law. Foremost is that Kosovo's action is justified by the fundamental human rights abuses and the lack of representation they suffered while a part of Serbia. Proponents argue that, while all citizens of the world possess the right to self-determination within the framework of the existing State, the principle of Carence de souverainete (lack of sovereignty) encourages secession when a territory is so heavily misgoverned that self-determination within an existing State is not possible. The placement of UNMIK as a governing body was viewed as recognition of existing misgovernment by Serbia. Proponents further assert that the long history of enmity and distrust between Albanians in Kosovo and Serbia continues to exert a poisoning influence on efforts toward integration.

Opponents of Kosovar independence argue that Kosovo is not in accordance with international law. These proponents highlight the inviolability of the principle of territorial integrity. Within international law, the principle of territorial integrity is seen as being of the utmost importance—a cornerstone to the Charter of the United Nations. According to the Vienna Convention of 1969, territorial integrity should be treated as a "norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted." Furthermore, the principle of territorial integrity as an internationally recognized norm not only applies between States but also within them. In addition, proponents of a single Serbian state point to the large difference between the rights of the minority group and the right to secession. While all human beings, minority or not, have the right to self-determination, it is an internal right.

Resolution 1244 indicates that any final settlement between Serbia and Kosovo must be the result of a negotiated agreement between the parties or of a Security Council decision. In the view of the opponents of ICJ jurisdiction in this case, the Resolution excludes a unilateral act as a possibility for a final settlement.

The Court will first need to consider its own right to jurisdiction in this case. While the General Assembly may submit issues to the ICJ for an Advisory Opinion, this is traditionally done in reference to the need for legal clarification on some matter before the General Assembly. Since a part of this argument is based in the implications of a Security Council resolution, this may or may not be an issue. If jurisdiction is warranted, the Court must also then take into consideration the two competing fundamental issues of international law represented here: the inviolability of the principle of territorial integrity and the rights of peoples to self-determination. Various treaties and human rights documents speak to these issues. In addition, competing claims of human rights violations may be important in this case.

Questions to consider include the following:
- Given that the General Assembly has asked the Court to provide an Advisory Opinion on an issue regarding which the UN Security Council has passed a Resolution, where does this Court find jurisdiction to consider the merits of this Advisory Opinion?
- How do competing claims of self-determination and territorial integrity/sovereignty apply in this case?
- Given the existence of a Security Council resolution as one source of law, do the provisions of Resolution 1244 affect the ability of Kosovo to declare independence when combined with other relevant sources of law on self-determination?
- Do human rights issues on either or both sides provide a legal impetus or impediment to a declaration of independence, either alone or in combination with the other legal issues defined here?

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# PULP MILLS ON THE RIVER URUGUAY (ARGENTINA V. URUGUAY) (2006)

On 4 May 2006, the Argentine Republic (Argentina) applied to the International Court of Justice to institute proceedings against the Oriental Republic of Uruguay (Uruguay) wherein Argentina accused Uruguay of breaching the Statute of the River Uruguay with respect to the authorization, construction and future commissioning of two pulp mills on the river. Argentina argues that the Court has jurisdiction through the 1975 Statute of the River Uruguay (1975 Statute), which allows the submission of any dispute concerning the interpretation or application of the agreement that cannot be settled by direct negotiations to the International Court of Justice. While Uruguay accedes that the Court has jurisdiction in this matter, Uruguay submits that Argentina's accusations are meritless and require no action by the Court.

Argentina claims that Articles 7 to 13 of the 1975 Statute impose obligations on any party planning to carry out works liable to affect navigation, the regime of the river, or the quality of its waters. These obligations state that either party must provide prior notification to the Administrative Commission on the River Uruguay (CARU) established by the Statute, which shall determine whether the plan might cause damage to the other party. If the notified party does not raise objections or does not respond within an established period, the project initiating party may proceed. However, if the notified party determines that damage may result from a project being carried out under the 1975 Statute, it may take recourse through CARU. In the event the parties fail to reach an agreement within 180 days following such notification, either nation may submit the dispute to the International Court of Justice. Argentina asserts that, on 9 October 1975, Uruguay unilaterally authorized a Spanish company to construct a pulp mill on the river. In granting this authorization, Argentina argues that Uruguay failed to comply with the obligatory prior notification and consultation procedures under the 1975 Statute. On 27 October 2003, Uruguay notified the Argentine Embassy in Uruguay that it had granted prior environmental authorization for the construction of the pulp mill. A report prepared by the Spanish company and a Uruguayan Ministry was then sent to the embassy. Finding these reports to be deficient, Argentina informed Uruguay that this authorization was not in keeping with the 1975 Statute. Uruguay continued with its plan to build the pulp mills. The dispute intensified when a second pulp mill was built on the Uruguay River without due notification to Argentina according to the 1975 Statute. In response to these unilateral actions by Uruguay in violation of the 1975 Statute, Argentina urges the Court to find Uruguay has procedurally breached the 1975 Statute.

In addition, Argentina seeks an injunction against Uruguay to stop production within the pulp mill plant due to the hazardous materials used. Argentina urges the Court to recognize that the impact of the construction and operation of the two pulp mills imposes major risks of environmental destruction, including pollution along the river, deterioration in plant biodiversity, damage to fish life and harmful effects on human health – all resulting in significant impacts on tourism and other Argentine economic interests. Argentina argues that the use of hazardous materials is in blatant violation of Uruguay's obligation to ensure reduction of these materials per the Basel Convention. Furthermore, Argentina asserts that Uruguay is failing to comply with the Montreal Protocol regarding the phase-out of methyl bromide, an ozone-depleting substance. The pulp mills also utilize Elemental Chlorine Free (ECF) technology, a process that includes chlorine dioxide in the course of the manufacturing process, producing organic pollutants and endocrine disrupters that have been linked with a myriad of health and environmental problems. Argentina claims that the use of ECFs is contrary to Uruguay's obligations under the United Nations Environment Programme (UNEP).

In response to Argentina's application instituting proceedings before the Court, Uruguay asserts that these accusations will not withstand serious scrutiny. Uruguay believes Argentina received the full measure of communication and collaboration entitled under the 1975 Statute. Uruguay asserts that the Statute imposes the procedural duties of notification, information sharing and, if necessary, consultation and dispute resolution by the International Court of Justice whenever one of the parties authorizes a project that may potentially cause harm to the other. Uruguay argues that nothing in the Statute imposes on either party the obligation to obtain the expressed approval of the other before carrying out a planned project within its sovereign domain. As such, the procedural provisions of the Statute only require prior consultation between the parties, not prior consent. If a persistent disagreement exists on whether a project may harm the river or the other party, the Statute does not provide for a right of rejection but for resolution of the dispute by the ICJ at the insistence of either party. Uruguay argues that it gave timely notice, shared sufficient information and consulted in good faith with Argentina about both pulp plants.

Furthermore, Uruguay also asserts that it fully complied with its obligations under Articles 36 and 41 of the Statute. According to Uruguay, the pulp mills will fully comply with CARU's water quality and other environmental regulations. Uruguay points out that Argentina lacks any scientific evidence that the plants will violate these regulations. In fact, the International Finance Corporation of the World Bank and its independent panel of experts praised the two plants' environmental performance. These independent experts found that both plants would satisfy all of CARU's water quality standards and regulations for the protection of the Uruguay River and its ecosystem. Uruguay asserts that Argentina's concerns remain speculative possibilities of eventual harm. As such, Uruguay urges the Court to uphold its actions, finding that Uruguay is not in procedural violation of the 1975 Statute, nor has Uruguay caused actual harm to the environment of the river.

In successfully adjudicating this case, the Court must address and resolve two significant issues. First, does the International Court of Justice have jurisdiction to consider the application submitted by Argentina to determine whether Uruguay is in violation of the 1975 Statute of the River Uruguay? Second, if the Court does find jurisdiction in this case, how does the Court balance the act of asserting national sovereignty with a potential or real impact that extends beyond national borders?

Questions to consider include the following:
- Consider the responsibilities and obligations Argentina and Uruguay have under the 1975 Statute of the River Uruguay. Do you believe those responsibilities and obligations were met in this case?
- This case considers both a procedural and substantive breach of faith of the 1975 Statute of the River Uruguay. How does one affect the other in your consideration of the facts of the case?
- To what extent must a State be bound by a bilateral treaty if compliance is not in the best interests of the country's development?
- This case asks the Court to consider the competing interests of potential environmental damage with the opportunity for economic advancement. Which do you think is more important and how does that affect your perspective on this case?

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## REQUEST FOR INTERPRETATION OF THE JUDGMENT OF 15 JUNE 1962 IN THE CASE CONCERNING THE TEMPLE OF PREAH VIHEAR (CAMBODIA V. THAILAND) (CAMBODIA V. THAILAND) (2011)

On 20 April 2011, the Kingdom of Cambodia (Cambodia) instituted proceedings before the International Court of Justice against the Kingdom of Thailand (Thailand) requesting an interpretation of the Judgment previously rendered by the Court on 15 June 1962 (the 1962 Judgment) to resolve the ongoing dispute between the Kingdom of Cambodia and the Kingdom of Thailand over the sovereignty of territory in the vicinity of the Temple of Preah Vihear.

The 1962 Judgment and the present case are only two of many episodes in a decades old dispute between Cambodia and Thailand. In 1954, Thai military forces were stationed in the area of the Temple of Preah Vihear (the Temple) as a result of an ongoing border dispute. This action prompted both parties to seek redress before the Court. In the 1962 Judgment, the Court found that the Temple of Preah Vihear was situated in territory under the sovereignty of Cambodia. As such, the Court found that Thailand was under an obligation to withdraw any military or other police and guarding forces then stationed at the Temple. Following several skirmishes that took place in the vicinity, the Thai Minister for Foreign Affairs sent a communique to the Secretary-General of the United Nations on 6 July 1962 in which Thailand, while stipulating that the 1962 Judgment was contrary to the "principles of law and justice," nonetheless agreed to honor its obligations according to the Judgment. However, Thailand made a reservation regarding its rights to "recover the Temple of Phra Viharn [as Thailand refers to the Temple]" and registered a protest against the decision of the Court.

On 7 July 2008, the United Nations Educational, Scientific and Cultural Organization (UNESCO) included the Temple on the list of World Heritage sites. Prior to inclusion on the list, Thailand produced a map claiming the territory disputed in the 1962 Judgment as sovereign Thai territory. On 15 July 2008, Thai soldiers occupied territory near the Temple. Since 2008, Cambodia has claimed that several Thai military incursions in the vicinity of the Temple have contributed to a general deterioration of bilateral relations and increased tensions in the area.

In its application instituting proceedings, Cambodia respectfully asks the Court to declare that the 1962 Judgment provides that Cambodia's sovereignty over the Temple is a result of the Court's determination that the Temple is situated within the sovereign territory of Cambodia. Cambodia asserts the 1962 Judgment did not independently recognize the sovereignty of the Temple to either State, but rather awarded it as part of the larger territory in question. Furthermore, Cambodia asks this Court to reaffirm that the 1962 Judgment obligates Thailand to "withdraw any military forces or police forces, or other guards or keepers" stationed at the Temple or in its vicinity because the Temple was found to be situated in Cambodian territory. According to Cambodia, this wording clearly indicates that Thailand's obligation to withdraw its forces goes beyond the immediate footprint of the Temple, but the area of the Temple in general. In fact, the 1962 Judgment established a general and continuing obligation upon Thailand to respect the territory of Cambodia delimited on the "Annex I map" as a permanent condition.

In support of the Court's jurisdiction over this matter, Cambodia relies on Article 60 of the Statute of the Court, which allows the Court to render an interpretation when there is a dispute as to "the meaning or scope." Cambodia urges the Court to find jurisdiction and issue an interpretation of the 1962 Judgment in order to maintain international peace and security in accordance with Article 2, paragraph 3 and Chapter VI of the United Nations Charter. In spite of

efforts by the Association of Southeast Asian Nations and the Secretary-General, military forces have continued to clash in the disputed territory.

In its current application, Cambodia points to three aspects of the 1962 Judgment where the two States are in disagreement. First, the 1962 Judgment is based on the prior existence of an international boundary established and recognized by both States. Second, that boundary is defined by the so-called "Annex I map." Finally, the 1962 Judgment obligates Thailand to withdraw any military or other personnel from Cambodian territory in the vicinity of the Temple. Cambodia asserts that it only recently became clear that Thailand had a differing interpretation of the 1962 Judgment and then only as a result of Thailand's opposition to including the Temple on the list of UNESCO World Heritage sites.

Thailand disagrees on each of these points. In response to Cambodia's application before the Court, Thailand argues that this case is based on nothing more than an effort by Cambodia to create a dispute of interpretation over the 1962 Judgment and encourage the Court interpret the Judgment as determining the boundary between Thailand and Cambodia, when in fact the Court made no such determination, nor did it grant status to the line on the Annex I map.

In his 1962 communique to the Secretary-General, the Thai Minister for Foreign Affairs reiterated the right of Thailand to recover the Temple with recourse "to any existing or subsequently applicable legal process." Far from evidence of a threat, this language presaged future efforts by Cambodia and Thailand to resolve this border dispute. Thailand and Cambodia created a bilateral process on 21 June 1997 with the signing of a Joint Statement by the Ministers of Foreign Affairs, whereby the Thai-Cambodian Joint Commission on Demarcation for Land Boundary was entrusted with the task of identifying the land boundary between the two countries. On 14 June 2000, Thailand and Cambodia signed a Memorandum of Understanding on the "Survey and Demarcation of Land Boundary" which established an amicable process to identify the previous boundary and place new boundary pillars in previously unmarked sectors. By bringing this case before the Court, Cambodia has actively shifted away from working collaboratively to resolve differences over the boundary dispute.

Moreover, on 15 July 1962, Thai troops were withdrawn from the Temple and its vicinity. As such, Thailand asserts there is no present-day dispute between Cambodia and Thailand over compliance with the 1962 Judgment regarding the presence of armed forces. While Thailand does not dispute that armed incidents took place in the area of the Temple after its UNESCO listing, it does assert that these were defensive in nature, a result of Cambodia's increased military and civilian presence in the area and armed attacks by Cambodia extending into undisputed Thai territory. Thailand asserts that none of these incidents resulted from Thai forces encroaching into the Temple area. Thailand has respected the 1962 Judgment of the Court and refused to allow its troops to enter the Temple.

Thailand rejects Cambodia's claim that Thailand's opposition to the listing of the Temple as a UNESCO World Heritage site is a catalyst for Cambodia to submit this case to the Court for consideration. In fact, Thailand discussed the possibility of submitting a joint Thai-Cambodian nomination to include the Temple on the UNESCO World Heritage List. Cambodia took the unilateral step to request that

UNESCO list the Temple and defined the area of the listing in such a way as to include a substantial portion of Thai territory. Although Thailand eventually did not oppose the listing of the Temple, Thailand is adamantly opposed to allowing the submission of a Cambodian site "Management Plan" that includes areas of Thai territory.

Finally, Thailand asserts that the Court, in its 1962 Judgment, specifically did not determine a boundary between Cambodia and Thailand or grant status to the line on the Annex I map. Rather, the Court limited their adjudication to the status of the Temple. In asking the Court to affirm the land boundary according to the Annex I map, Cambodia is encouraging the Court to break new ground on an old decision - an action the Court cannot take under Article 60.

In successfully adjudicating this case, the Court must consider two competing and fundamental claims. First, does the Court have jurisdiction to consider the application submitted by Cambodia to provide an interpretation of the 1962 Judgment as outlined above? Second, if the question of jurisdiction is properly found, do the competing claims warrant a more complete discussion and review of the underlying border dispute between the parties?

Questions to consider include the following:
- The 1962 Judgment by the International Court of Justice sought to balance a number of competing priorities in a volatile geopolitical time and circumstance. Should those considerations be reconsidered in the context of this case?
- This case is unique in that both parties point to a previous case adjudicated by the International Court of Justice, on which an opinion was given in 1962. Once presented with the facts of the case, which interpretation of the 1962 Judgment do you find most compelling?
- To what extent have the bilateral efforts of Cambodia and Thailand been successful in addressing this recurring conflict?

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