



NMUN • NY

GENERAL ASSEMBLY THIRD COMMITTEE

BACKGROUND GUIDE 2011

WRITTEN BY: Nikhil Mathur, Andrew Fisher, Matt Buongiorno and Alicia Nall



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NATIONAL MODEL UNITED NATIONS
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CONTACT THE NMUN

Please consult the FAQ section of nmun.org for answers to your questions. If you do not find a satisfactory answer you may also contact the individuals below for personal assistance. They may answer your question(s) or refer you to the best source for an answer.

NMUN Director-General (Sheraton)
Holger Baer | dirgen@nmun.org

NMUN Director-General (Marriott)
Brianna Johnston-Hanks | dirgen@nmun.org

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NMUN Secretary-General
Ronny Heintze | secgen@nmun.org

NMUN•NY 2011 Important Dates

IMPORTANT NOTICE: To make hotel reservations, you must use the forms at nmun.org and include a \$1,000 deposit. Discount rates are available until the room block is full or one month before the conference – whichever comes first. **PLEASE BOOK EARLY!**

31 January 2011	<ul style="list-style-type: none"> • Confirm Attendance & Delegate Count. (Count may be changed up to 1 March) • Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)
15 February 2011	<ul style="list-style-type: none"> • Committee Updates Posted to www.nmun.org
1 March 2011	<ul style="list-style-type: none"> • Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Group Rates on hotel rooms are available on a first come, first served basis until sold out. Group rates, if still available, may not be honored after that date. See hotel reservation form for date final payment is due. • Any Changes to Delegate Numbers Must be Confirmed to: outreach@nmun.org • Preferred deadline for submission of Chair / Rapp applications to Committee Chairs • All Conference Fees Due to NMUN for confirmed delegates. (\$125 per delegate if paid by 1 March; \$150 per delegate if received after 1 March. Fee is not refundable after this deadline.
15 March 2011	<ul style="list-style-type: none"> • Two Copies of Each Position Paper Due via E-mail (See Delegate Preparation Guide for instructions).
NATIONAL MODEL UNITED NATIONS	<p>The 2011 National Model UN Conference</p> <ul style="list-style-type: none"> • 17 - 21 April – Sheraton New York • 19 - 23 April – New York Marriott Marquis <p>The 2012 National Model UN Conference</p> <ul style="list-style-type: none"> • 1 - 5 April – Sheraton New York • 3 - 7 April – New York Marriott Marquis • 30 March - 3 April – New York Marriott Marquis

POSITION PAPER INSTRUCTIONS

Two copies of each position paper should be sent via e-mail by 15 MARCH 2011

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 15 March to the e-mail address listed for your particular venue. These e-mail addresses will be active when background guides are available. Delegates should carbon copy (cc:) themselves as confirmation of receipt. Please put committee and assignment in the subject line (Example: GAPLEN_Greece).

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org.

This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments.

Note: This e-mail should only be used as a repository for position papers.

- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)

- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted.

Please put committee, assignment and delegation name in the subject line (Example: Cuba_U_of_ABC). If you have any questions, please contact the Director-General at dirgen@nmun.org.

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for more information

COMMITTEE

EMAIL - SHERATON

General Assembly First Committee	ga1st.sheraton@nmun.org
General Assembly Second Committee	ga2nd.sheraton@nmun.org
General Assembly Third Committee.....	ga3rd.sheraton@nmun.org
Human Rights Council.....	hrc.sheraton@nmun.org
ECOSOC Plenary	ecosoc.sheraton@nmun.org
Commission on Crime Prevention and Criminal Justice	ccpcj.sheraton@nmun.org
Commission on the Status of Women	csw.sheraton@nmun.org
Economic and Social Commission for Asia and the Pacific	escap.sheraton@nmun.org
Economic and Social Commission for Western Asia	escwa.sheraton@nmun.org
United Nations Environment Programme	unep.sheraton@nmun.org
United Nations Population Fund	unfpa.sheraton@nmun.org
United Nations Children's Fund.....	unicef.sheraton@nmun.org
World Intellectual Property Organization	wipo.sheraton@nmun.org
African Development Bank	afdb.sheraton@nmun.org
Group of 20.....	g20.sheraton@nmun.org
Organization of American States	oas.sheraton@nmun.org
Organization for Security and Co-operation in Europe.....	osce.sheraton@nmun.org
Security Council.....	sc.sheraton@nmun.org
Security Council 2.....	sc2.sheraton@nmun.org
International Court of Justice.....	icj.sheraton@nmun.org
Non-Proliferation Treaty Review Conference	npt.sheraton@nmun.org

COMMITTEE

EMAIL - MARRIOTT

General Assembly First Committee	ga1st.marriott@nmun.org
General Assembly Second Committee	ga2nd.marriott@nmun.org
General Assembly Third Committee.....	ga3rd.marriott@nmun.org
Human Rights Council.....	hrc.marriott@nmun.org
ECOSOC Plenary	ecosoc.marriott@nmun.org
Commission on Crime Prevention and Criminal Justice	ccpcj.marriott@nmun.org
Commission on the Status of Women	csw.marriott@nmun.org
Economic and Social Commission for Asia and the Pacific	escap.marriott@nmun.org
Economic and Social Commission for Western Asia	escwa.marriott@nmun.org
United Nations Environment Programme	unep.marriott@nmun.org
United Nations Population Fund	unfpa.marriott@nmun.org
United Nations Children's Fund.....	unicef.marriott@nmun.org
World Intellectual Property Organization	wipo.marriott@nmun.org
African Development Bank	afdb.marriott@nmun.org
Group of 20.....	g20.marriott@nmun.org
Organization of American States	oas.marriott@nmun.org
Organization for Security and Co-operation in Europe.....	osce.marriott@nmun.org
Security Council.....	sc.marriott@nmun.org
Security Council 2.....	sc2.marriott@nmun.org
International Court of Justice.....	icj.marriott@nmun.org
Non-Proliferation Treaty Review Conference	npt.marriott@nmun.org

OTHER USEFUL CONTACTS

Entire Set of Delegation Position Papers	positionpapers.sheraton@nmun.org
(send only to e-mail for your assigned venue).....	positionpapers.marriott@nmun.org
Secretary-General	secgen@nmun.org
Director(s)-General	dirgen@nmun.org
NMUN Office	info@nmun.org



THE 2011 NATIONAL MODEL UNITED NATIONS

SPONSORED BY THE NATIONAL COLLEGIATE CONFERENCE ASSOCIATION

New York City, 17-21 April (Sheraton) & 19-23 April (Marriott) • www.nmun.org

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Dear Delegates,

Welcome to the 2011 National Model United Nations (NMUN)! Nikhil Mathur will be the Director at the Sheraton Venue. He has a background in Public Policy and Economics and has worked at the United Nations in Amman, Jordan. Nikhil brings five years of directing experience and looks forward to connecting with delegates to address the challenging issues facing the international community. Nikhil Mathur's Assistant Director will be Matt Buongiorno, a Fall 2009 Herbert Scoville Jr. Peace Fellow with the Federation of American Scientists and two-time NMUN-NY staff member. Matt is currently a Teach For America corps member in Hawaii, where he is teaching high school algebra and studying for his Masters. The Assistant Director at the Marriott venue will be Alicia Nall, who is a 2009 graduate of the Marquette University Law School and she is currently an attorney for a domestic violence and sexual assault agency in Wisconsin. Collectively, we work as a team, and we are truly looking forward to serving as your Directors and Assistant Directors.

The topics for this year's General Assembly 3rd Committee are:

1. Human Rights, Cultural Integrity, and Diversity
2. Promoting Alternative Development Strategies to Combat the World Drug Trade
3. Protection of Human Rights and Fundamental Freedoms While Countering Terrorism

Being a delegate in the Third Committee of the General Assembly can be a challenging task. A thorough knowledge of GA 3rd's role in the UN system is required, as the committee has a supervising and coordinating function concerning social, humanitarian and cultural affairs. This guide will aid you in developing a cursory understanding of the topics listed above and give you a starting point for your research. But it can only be a starting point. Your personal learning experience and the success of the simulation depend on the dedication and effort that you will put into your preparation as a representative of your country. Thus, the preparation for the conference essentially includes an excellent knowledge of the topics, the role of the General Assembly 3rd committee, and your country's policy positions with regard to the three topics.

Every participating delegation is required to submit a position paper prior to attending the conference. NMUN will accept position papers via e-mail by March 15, 2011 for both venues. Please refer to the message from your Directors-General explaining NMUN's position paper requirements and restrictions. Delegates' adherence to these guidelines is crucial.

The General Assembly can be an intimidating and overwhelming committee in the beginning, but it will be an incredibly rewarding experience. We wish each of you the best as you prepare. Please do not hesitate to direct any questions or concerns via e-mail to your Director. We look forward to meeting you at the conference in spring 2011.

Sincerely yours,

Sheraton Venue

Nikhil Mathur

Director

Matt Buongiorno

Assistant Director

ga3rd.sheraton@nmun.org

Marriott Venue

TBD

Director

Alicia Nall

Assistant Director

ga3rd.marriott@nmun.org

Message from the Directors-General Regarding Position Papers for the 2011 NMUN Conference

At the 2011 NMUN New York Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in each committee impacts the way a position paper should be written. While most delegates will serve as representatives of Member States, some may also serve as observers, NGOs or judicial experts. To understand these fine differences, please refer to the Delegate Preparation Guide.

Position papers should provide a concise review of each delegation's policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State should be identified and addressed. Making recommendations for action by your committee should also be considered. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference. NGO position papers should be constructed in the same fashion as position papers of countries. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

Please be forewarned, delegates must turn in material that is entirely original. ***The NMUN Conference will not tolerate the occurrence of plagiarism.*** In this regard, the NMUN Secretariat would like to take this opportunity to remind delegates that although United Nations documentation is considered within the public domain, the Conference does not allow the verbatim re-creation of these documents. This plagiarism policy also extends to the written work of the Secretariat contained within the Committee Background Guides. Violation of this policy will be immediately reported to faculty advisors and may result in dismissal from Conference participation. Delegates should report any incident of plagiarism to the Secretariat as soon as possible.

Delegation's position papers can be awarded as recognition of outstanding pre-Conference preparation. In order to be considered for a Position Paper Award, however, delegations must have met the formal requirements listed below. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the Background Guides
- Length must **not** exceed two single spaced pages (one double sided paper, if printed)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Margins must be set at 1 inch for whole paper
- Country/NGO name, School name and committee name clearly labeled on the first page; the use of national symbols is highly discouraged
- Agenda topics clearly labeled in separate sections

To be considered timely for awards, please read and follow these directions:

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2010. Delegates should carbon copy (cc:) themselves as confirmation of receipt.
2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference.

Each of the above listed tasks needs to be completed no later than **March 15, 2010 (GMT-5) for delegations attending the NMUN conference at either the Sheraton or the Marriott venue.**

PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE, ASSIGNMENT AND DELEGATION NAME (Example: AU_Namibia_University of Caprivi)

A matrix of received papers will be posted online for delegations to check prior to the Conference. If you need to make other arrangements for submission, please contact Holger Baer, Director-General, Sheraton venue, or Brianna Johnston-Hanks, Director-General, Marriott venue at dirgen@nmun.org. There is an option for delegations to submit physical copies via regular mail if needed.

Once the formal requirements outlined above are met, Conference staff use the following criteria to evaluate Position Papers:

- Overall quality of writing, proper style, grammar, etc.
- Citation of relevant resolutions/documents
- General consistency with bloc/geopolitical constraints
- Consistency with the constraints of the United Nations
- Analysis of issues, rather than reiteration of the Committee Background Guide
- Outline of (official) policy aims within the committee's mandate

Each delegation can submit a copy of their position paper to the permanent mission of the country being represented, along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparation for the mission briefing in New York.

Finally, please consider that over 2,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the Conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

Sincerely yours,

Sheraton Venue
Holger Baer
Director-General
holger@nmun.org

Marriott Venue
Brianna Johnston-Hanks
Director-General
briannaj@nmun.org

Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. While delegates are encouraged to use the front and back of a single page in order to fully address all topics before the committee, please remember that only a *maximum* of one double-sided page (or two pages total in an electronic file) will be accepted. Only the first double-sided page of any submissions (or two pages of an electronic file) will be considered for awards.

Delegation from
Canada

Represented by
(Name of College)

Position Paper for General Assembly Plenary

The topics before the General Assembly Plenary are: Breaking the link between Diamonds and Armed Conflict; the Promotion of Alternative Sources of Energy; and the Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa. Canada is dedicated to collaborative multilateral approaches to ensuring protection and promotion of human security and advancement of sustainable development.

I. Breaking the link between Diamonds and Armed Conflict

Canada endorses the Kimberly Process in promoting accountability, transparency, and effective governmental regulation of trade in rough diamonds. We believe the Kimberly Process Certification Scheme (KPCS) is an essential international regulatory mechanism and encourage all Member States to contribute to market accountability by seeking membership, participation, and compliance with its mandate. Canada urges Member States to follow the recommendations of the 2007 Kimberley Process Communiqué to strengthen government oversight of rough diamond trading and manufacturing by developing domestic legal frameworks similar to the Extractive Industries Transparency Initiative. We call upon participating States to act in accordance with the KPCS's comprehensive and credible systems of peer review to monitor the continued implementation of the Kimberley Process and ensure full transparency and self-examination of domestic diamond industries. We draw attention to our domestic programs for diamond regulation including Implementing the Export and Import of Rough Diamonds Act and urge Member States to consider these programs in developing the type of domestic regulatory frameworks called for in A/RES/55/56. Canada recognizes the crucial role of non-governmental organizations (NGOs) in the review of rough diamond control measures developed through the Kimberly Process and encourages States to include NGOs, such as Global Witness and Partnership Africa Canada, in the review processes called for in A/RES/58/290. We urge Member States to act in accordance with A/RES/60/182 to optimize the beneficial development impact of artisanal and alluvial diamond miners by establishing a coordinating mechanism for financial and technical assistance through the Working Group of the Kimberly Process of Artisanal Alluvial Producers. Canada calls upon States and NGOs to provide basic educational material regarding diamond valuation and market prices for artisanal diggers, as recommended by the Diamond Development Initiative. Canada will continue to adhere to the 2007 Brussels Declaration on Internal Controls of Participants and is dedicated to ensuring accountability, transparency, and effective regulation of the rough diamond trade through the utilization of voluntary peer review systems and the promotion of increased measures of internal control within all diamond producing States.

II. The Promotion of Alternative Sources of Energy

Canada is dedicated to integrating alternative energy sources into climate change frameworks by diversifying the energy market while improving competitiveness in a sustainable economy, as exemplified through our Turning Corners Report and Project Green climate strategies. We view the international commitment to the promotion of alternative sources of energy called for in the Kyoto Protocol and the United Nations Framework Convention on Climate Control (UNFCCC) as a catalyst to sustainable development and emission reduction. Canada fulfills its obligations to Article 4 of the UNFCCC by continuing to provide development assistance through the Climate Change Development Fund and calls upon Member States to commit substantial financial and technical investment toward the transfer of sustainable energy technologies and clean energy mechanisms to developing States. We emphasize the need for Member States to follow the recommendations of the 2005 Beijing International Renewable Energy Conference to strengthen domestic policy frameworks to promote clean energy technologies. Canada views

dissemination of technology information called for in the 2007 Group of Eight Growth and Responsibility in the World Economy Declaration as a vital step in energy diversification from conventional energy generation. We call upon Member States to integrate clean electricity from renewable sources into their domestic energy sector by employing investment campaigns similar to our \$1.48 billion initiative ecoENERGY for Renewable Power. Canada encourages States to develop domestic policies of energy efficiency, utilizing regulatory and financing frameworks to accelerate the deployment of clean low-emitting technologies. We call upon Member States to provide knowledge-based advisory services for expanding access to energy in order to fulfill their commitments to Goal 1 of the Millennium Development Goals (MDGs). Canada urges States to address the concerns of the 2007 Human Development Report by promoting tax incentives, similar to the Capital Cost Allowances and Canadian Renewable and Conservation Expenses, to encourage private sector development of energy conservation and renewable energy projects. As a member of the Renewable Energy and Energy Efficiency Partnership, Canada is committed to accelerating the development of renewable energy projects, information sharing mechanisms, and energy efficient systems through the voluntary carbon offset system. We are dedicated to leading international efforts toward the development and sharing of best practices on clean energy technologies and highlight our release of the Renewable Energy Technologies Screen software for public and private stakeholders developing projects in energy efficiency, cogeneration, and renewable energy. Canada believes the integration of clean energy into State specific strategies called for in A/62/419/Add.9 will strengthen energy diversification, promote the use of cogeneration, and achieve a synergy between promoting alternative energy while allowing for competitiveness in a sustainable economy.

III. Implementation of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Particularly in Africa

Canada views the full implementation of the treatment and prevention targets of the 2001-2010 International Decade to Roll Back Malaria in Developing Countries, Especially in Africa, as essential to eradicating malaria and assisting African States to achieve Target 8 of Goal 6 of the MDGs by 2015. We recommend Member States cooperate with the World Health Organization to ensure transparency in the collection of statistical information for Indicators 21 and 22 of the MDGs. Canada reaffirms the targets of the Abuja Declaration Plan of Action stressing regional cooperation in the implementation, monitoring, and management of malaria prevention and treatment initiatives in Africa. To fully implement A/RES/61/228, Canada believes developed States must balance trade and intellectual property obligations with the humanitarian objective of the Doha Declaration on the TRIPS Agreement and Public Health. We continue to implement Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health into our compulsory licensing framework through the Jean Chrétien Pledge to Africa Act. We urge Member States to support compulsory licensing for essential generic medicines by including anti-malarial vaccines and initiating domestic provisions to permit export-only compulsory licenses to domestic pharmaceutical manufacturers, similar to Canada's Access to Medicines Regime. Canada calls upon Member States to establish advanced market commitments on the distribution of pneumococcal vaccines to developing States in cooperation with PATH and the Malaria Vaccine Initiative. We emphasize the need for greater membership in the Roll Back Malaria initiative to strengthen malaria control planning, funding, implementation, and evaluation by promoting increased investment in healthcare systems and greater incorporation of malaria control into all relevant multi-sector activities. Canada continues to implement the Canadian International Development Agency's (CIDA) New Agenda for Action on Health to reduce malaria infection rates among marginalized populations in Africa, increase routine immunizations rates, and reduce infection rates of other neglected infections. Canada will achieve the goal of doubling aid to Africa by 2008-2009 by providing assistance to the Global Fund to Fight Aids, Tuberculosis, and Malaria. We urge Member States to increase donations to intergovernmental organizations and NGOs that support malaria programming in Africa, exemplified by CIDA's contribution of \$26 million to the Canadian Red Cross. We continue our efforts to provide accessible and affordable vector control methods to African States through the Red Cross' Malaria Bed Net Campaign and the African Medical Research Foundation Canada by supplying insecticide-treated mosquito nets and Participatory Malaria Prevention and Treatment tool kits.

History of the General Assembly Third Committee

General background of UN structure

The United Nations (UN) was organized in 1945 with four specific purposes in mind: to maintain international peace and security; to develop relations between states; to cooperate in solving international issues and in promoting respect for human rights; and to be a central organization for states to accomplish these goals.¹ To fulfill these purposes, the Charter of the United Nations established six principal organs, of which the General Assembly (GA) is the main deliberative organ.² The Charter gives the GA two primary functions: discuss matters within the scope of the Charter and make recommendations to Member States and/or the Security Council.³ The GA is the only principal organ of the UN that includes all Member States; observers and NGOs are also allowed to participate in the discussions before the body.⁴

Article 22 of the UN Charter gave the General Assembly the power to create subsidiary organs to assist the GA in carrying out its functions.⁵ Due to the wide variety of topics brought before it, the GA is further divided into six committees, each having a focus on a particular topic area.⁶ The Third Committee discusses, deliberates, and recommends action on “a range of social, humanitarian affairs and human rights issues.”⁷

History of the Third Committee

The GA began with six committees, just like its predecessor, the League of Nations.⁸ The Second and Third Committees have always had some overlap in their topic areas but each developed a specific area of expertise by focusing on different sections of the Economic and Social Council reports.⁹ At the UN’s inception, the Third Committee was regarded as the least important committee since many delegates regarded social issues as the least important agenda items.¹⁰ However, the increase of Member States from the developing world has brought more attention to the Third Committee.¹¹

Additionally, a minority of delegations had female delegates and women were typically assigned to the Third Committee.¹² In the 1970s, the Second and Third Committees began to move into a direction where the Second Committee addressed development while the Third Committee addressed human rights.¹³ Since the 1980s, the Third Committee has addressed two particular aspects of human rights: what should be defined as a “human right” and human rights situations in particular states.¹⁴

Authority to Act

The GA is required by Article 13 of the Charter of the United Nations to “initiate studies and make recommendations for the purpose of... promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.”¹⁵

¹ United Nations Department of Public Information, *Basic Facts About the United Nations*, 2000, p 3-5

² United Nations Department of Public Information, *Basic Facts About the United Nations*, 2000, p.6

³ Peterson, *The UN General Assembly*, 2006, p.2

⁴ Peterson, *The UN General Assembly*, 2006, p. 3, 55-6

⁵ *Charter of the United Nations*, 1945, Chapter IV, Art. 22.

⁶ United Nations Department of Public Information, *Basic Facts About the United Nations*, 2000, p. 6-8.

⁷ UN General Assembly, *Social, Humanitarian & Cultural: Third Committee*

⁸ Peterson, *The UN General Assembly*, 2006, p.59

⁹ Peterson, *The UN General Assembly*, 2006, p.61

¹⁰ Peterson, *The UN General Assembly*, 2006, p.61

¹¹ Peterson, *The UN General Assembly*, 2006, p.62

¹² Peterson, *The UN General Assembly*, 2006, p.62

¹³ Peterson, *The UN General Assembly*, 2006, p.62

¹⁴ Peterson, *The UN General Assembly*, 2006, p.62

¹⁵ United Nations, *Charter of the United Nations*, 1945, Chapter IV, Art. 13.1

As a subsidiary of the GA, the Third Committee functions as an exact replica of the GA Plenary.¹⁶ Delegates in the committee prepare draft proposals to submit to the committee as a whole for discussion and debate.¹⁷ Those proposals are then voted upon and, if passed, are submitted as draft resolutions to the GA Plenary. While proposals will be voted upon if necessary, the Third Committee, like the GA Plenary, largely functions as a consensus-building body.¹⁸ Functioning as a consensus-building body means that “virtually all members support or at least not object seriously to any proposal.”¹⁹ While actions recommended by the body are not binding on any Member State, the actions do express the will of the majority of the body.²⁰ In attempting to set standards for international relations, broad agreement among Member States is necessary to ensure compliance.²¹ The Committees of the GA do not require consensus to pass proposals and will vote on items when necessary; “many delegations regard adoption ‘by consensus’ as a stronger endorsement than any vote.”²²

Topics discussed by Third Committee

The Third Committee discusses topics of a social, humanitarian, and/or cultural focus, which includes a wide-range of issues from disaster relief to international crime to human rights.²³ Some of the topics on the agenda of the Third Committee during the sixty-fourth session were as follows: the maintenance of international peace and security; the promotion of sustained economic growth and sustainable development; the promotion and protection of the rights of children, indigenous issues, the elimination of racism, racial discrimination, xenophobia and related intolerance; and drug control, crime prevention and combating international terrorism in all its forms and manifestations.²⁴

A number of actions were recommended during the 64th Session of the Third Committee. The body urged the governments of the Democratic People’s Republic of Korea, Myanmar, and the Islamic Republic of Iran to correct human rights abuses within their respective countries and addressed specific means to do so.²⁵ The General Assembly then approved these measures by passing resolutions as A/RES/64/175, A/RES/64/238, and A/RES/64/176, respectively. The Third Committee also requested that the Secretary-General prepare a report on human rights and cultural diversity for the sixty-sixth session of the General Assembly, which was passed in GA Resolution A/RES/64/174.²⁶ In another draft resolution, the Third Committee adopted the Political Declaration and Plan of Action on International Cooperation towards an integrated and Balanced Strategy to Counter the World Drug Problem submitted by the Commission on Narcotic Drugs and recommended the full implementation of the actions set out in the Plan.²⁷ The Political Declaration and Plan of Action were also adopted by the GA in A/RES/64/182. The Third Committee adopted a draft resolution with recommendations on the protection of human rights and fundamental freedoms while countering terrorism and requested the Secretary-General to submit a report on the implementation of the resolution at the next session of the General Assembly, which was also passed by the General Assembly in A/RES/64/168.²⁸

¹⁶ Karns and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p.104

¹⁷ Karns and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p.8

¹⁸ Karns and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p.28

¹⁹ Peterson, *The UN General Assembly*, 2006, p.72

²⁰ Fasulo, *An Insider’s Guide to the UN*, 2004, p.72

²¹ Peterson, *The UN General Assembly*, 2006, p.72

²² Peterson, *The UN General Assembly*, 2006, p.72

²³ United Nations Department of Public Information, *Basic Facts About the United Nations*, 2000, p.8; Fasulo, *An Insider’s Guide to the UN*, 2004, p.73

²⁴ United Nations General Assembly Third Committee, *Allocation of agenda items to the Third Committee. A/C.3/64/1*, 2009

²⁵ UN General Assembly Third Committee, *Situation of human rights in the Democratic People’s Republic of Korea A/C.3/64/L.35 and A/RES/64/175; Situation of human rights in Myanmar A/C.3/64/L.36 and A/RES/64/238; Situation of human rights in the Islamic Republic of Iran A/C.3/64/L.37 and A/RES/64/176.*

²⁶ UN General Assembly Third Committee, *Human rights and cultural diversity A/C.3/64/L.49.*

²⁷ UN General Assembly Third Committee, *International cooperation against the world drug problem A/C.3/64/L.15/Rev.1.*

²⁸ UN General Assembly Third Committee, *Protection of human rights and fundamental freedoms while countering terrorism A/C.3/64/L.43/Rev.1*

I. Human Rights, Cultural Integrity, and Diversity

“We will not enjoy security without development, we will not enjoy development without security, and we will not enjoy either without respect for human rights.”

Former UN Secretary-General Kofi Annan

Introduction

In a progressively globalizing world, the need for enforcement of human rights is becoming increasingly significant. Previously isolated peoples are being brought together voluntarily and involuntarily by the increasing integration of markets, the emergence of new regional and political alliances, significant advances in technology and telecommunications, and breakthroughs in the ease and convenience of modern transportation that have instigated demographic shifts.²⁹ These contemporary shifts have prompted the need for consideration of how best to enforce the respect for fundamental human rights that the United Nations is built upon while also abstaining from infringing on cultural integrity or diversity.

The United Nations itself is built upon a foundation of respect for human rights, beginning foremost with its commitment to the Universal Declaration of Human Rights, which is considered a milestone document in the history of human rights.³⁰ Established in Paris on December 10, 1948, the document is a common standard of achievements for all peoples and all nations – it sets out, for the first time, fundamental human rights to be universally protected.³¹ The Charter of the United Nations also contains important human rights provisions that honor diversity and cultural differences, particularly Article 13, which promote the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.³²

Yet with the resulting confluence of peoples and cultures in an increasingly global and multicultural world brimming with tension in the process of its adjustment, people may resort to isolationism, ethnocentrism, and intolerance.³³ The outcomes of cultural diffusion and the corresponding rapid transition into an era of globalization raise a key question: How can universal human rights exist in a culturally diverse world?³⁴ As the international community becomes increasingly integrated, how can cultural integrity be protected?³⁵ How can human rights be reconciled with the clash of cultures that has come to characterize the twenty-first century?³⁶

The United Nations has dedicated a series of bodies specifically to the cause of discussing issues related to this central question, including the Third Committee of the General Assembly, the Office of the High Commissioner for Human Rights, the Human Rights Council, and the Committee on the Rights of the Child.

A series of key documents related to the promotion of human rights and the protection of cultural integrity have been passed by these and other bodies of the United Nations, including the International Convention on the Elimination of All Forms of Racial Discrimination (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990), and the Agreement establishing the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean (1992).³⁷ Each of these documents are committed to the promotion of human rights regardless of gender, color, creed, background, culture, and all other characteristics that may differentiate some peoples from others.

²⁹ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

³⁰ Office of the High Commissioner for Human Rights, *Universal Declaration for Human Rights*, 2010.

³¹ Office of the High Commissioner for Human Rights, *Universal Declaration for Human Rights*, 2010.

³² United Nations, *Charter of the United Nations*, 1945.

³³ Ayton-Shenker. *The Challenge of Human Rights and Cultural Diversity*, 1995.

³⁴ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

³⁵ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

³⁶ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

³⁷ United Nations Treaty Collection, *Chapter IV: Human Rights*, 2010.

The Real Issue: Community or Individual?

The tension between universal human rights and respect for cultural diversity presents itself in a number of issue areas, and in each of these areas the same crucial question is present: Which is more important – universal individual rights or respect for cultural diversity? This tension between agreed upon understandings of universal human rights while simultaneously honoring cultural sovereignty is akin to the ongoing debate between communitarianism and cosmopolitanism. Communitarianism emphasizes the ends of the community and cosmopolitanism affirms the autonomy, dignity, and equal value of all persons.³⁸ While this communal autonomy versus individual autonomy debate is an important consideration for understanding the relationship between universal human rights and cultural integrity, it does not wholly encapsulate the scope of the issue.

Though these tensions are pervasive across a number of human rights issues, certain rights in particular have sparked violent tension between individual human rights and cultural integrity. Some of these issues – namely, women’s rights and the rights of indigenous people – will be discussed in the following sections.

Gender Equality

Socially constructed roles often thwart the potential of girls and women.³⁹ Discrimination denies them health care and education. It hides information that they can use to protect themselves from HIV/AIDS. Discrimination robs girls and women of the power to make decisions, to earn a living and to be free from violence, abuse and exploitation.⁴⁰ In modern times, women have moved from the margins to the center of history playing increasingly important roles in families and communities.⁴¹ The limitation of women’s rights is usually exercised in the name of tradition, religion, social cohesion, or morality, and is done so in the name of culture.⁴² The central question that delegates to discuss is whether these socially constructed roles constitute an assault on women’s rights; or whether UN responses to these perceived instances of discrimination constitute an assault on communal autonomy and cultural integrity.

Several UN bodies and conventions – including the UN Children’s Fund (UNICEF), the United Nations Inter-Agency Network on Women and Gender Equality (IANWGE), the United Nations Development Fund for Women (UNIFEM), and Secretary-General Ban Ki-moon’s UNiTE to End Violence against Women Campaign, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) – are committed to preserving and promoting the rights of women in light of worldwide cultural differences and making substantive progress toward the achievement of Millennium Development Goal (MDG) #3: promoting gender equality and empowering women.⁴³

Within the IANWGE network, Women Watch is a gateway to information and resources on the promotion of gender equality and the empowerment of women throughout the United Nations system.⁴⁴ Thematic issues related to the empowerment of women include preventing the human trafficking of women and combating sexual exploitation; empowering women’s voice in politics and government; combating gender and racial/cultural exploitation; and rebutting early marriage as a traditional practice detrimental to the empowerment of women.⁴⁵ While cultural norms in some states may preclude the establishment of stronger rights for women, the concept of universal human rights is codified in UN documents that date as early as the UN Declaration of Human Rights. There are a few examples of states more actively promoting female inclusion in government, including a historic bill that India recently passed that will reserve one-third of its legislative seats for women, a vote described as “a historic step toward emancipation of Indian womanhood.”⁴⁶

³⁸ Hill, *Becoming a Cosmopolitan*, 2000, p. 142-153.

³⁹ UNICEF, *Gender Equality: Introduction*, 2010.

⁴⁰ UNICEF, *Gender Equality: Introduction*, 2010.

⁴¹ Afkhami, *Gender Apartheid, Cultural Relativism and Women’s Human Rights in Muslim Societies* (n.d.).

⁴² Afkhami, *Gender Apartheid, Cultural Relativism and Women’s Human Rights in Muslim Societies* (n.d.).

⁴³ United Nations, *Millennium Development Goals*, 2010.

⁴⁴ WomenWatch, *About WomenWatch* (n.d.).

⁴⁵ United Nations Inter-Agency Network on Women and Gender Equality, *Directory of UN Resources on Gender and Women’s Issues*, 2010.

⁴⁶ Burke, *Indian parliament approves plan for women’s quota*, 2010.

Further, UNiTE – established by Secretary-General Ban Ki-moon in 2008 – is a multi-year effort aimed at preventing and eliminating violence against women and girls in all parts of the world.⁴⁷ In particular, the campaign aims to achieve a series of ambitious goals in all countries, including adopting and enforcing national laws to address and punish all forms of violence against women and girls; adopting and implementing multi-sectoral national action plans; strengthening data collection on the prevalence of violence against women and girls; increasing public awareness and social mobilization; and addressing sexual violence in conflict.⁴⁸

UNICEF and UNIFEM each promote ending gender-based violence and empowering the role of women in cultures and societies around the world. UNIFEM in particular has stressed the need to support long-term initiatives that advance women's livelihoods.⁴⁹ For example, UNIFEM has partnered with the UN Mission in Darfur (UNAMID) and the local police in order to train women to protect themselves.⁵⁰ Further, targeted outreach to men is mentoring them on becoming champions for the protection of women's rights.⁵¹ This example falls within the context of the individual autonomy versus communal autonomy debate: while UNAMID's operations have assisted in ensuring better lives for women – thereby facilitating stronger individual autonomy for women in Darfur – traditionalists may interpret the UN's actions as intervention that encroaches on the cultural integrity and communal autonomy of the Darfur region. Delegates must determine how best to reconcile these differences in interpretation and mitigate conflict while consecutively fulfilling the objectives of the committee.

In addition to specific UN bodies committed to empowering women and promoting gender equality in the face of cultural differences that may preclude the full realization of human rights for women and the achievement of MDG #3, the UN has passed a series of conventions and agreements designed to ensure human rights for women, perhaps most importantly the Convention on the Elimination of All Forms of Discrimination against Women. The Convention, which was adopted by the UN General Assembly on 18 December 1979 in Resolution 34/180, bears the underlying philosophy that discrimination against women is incompatible with human dignity and constitutes an obstacle to the full realization of the potentialities of women and that the right of women to share equally in improved conditions of life must be promoted and protected.⁵² The convention has since endured a number of changes in its approach and enforcement. For example, in 2004 CEDAW adopted 25 general recommendations, most have which have addressed reporting guidelines and reservations.⁵³

Despite these efforts, international consensus has not been reached regarding what constitutes equally distributed improved conditions of life between the sexes. For example, Saudi Arabia, which does not allow women to drive or vote, said in 2007 that it had achieved equality between the sexes.⁵⁴ Saudi ambassador to America, Adel al-Jubeir, noted that the country works within its own traditional values.⁵⁵ The question to consider therefore becomes how to reconcile notions of traditional culture and international norms that push for full inclusion of women in government, culture, and everyday society.

Indigenous People

Indigenous peoples are the practitioners of unique ways of life that may dramatically deviate from the modern lifestyle. Indigenous people have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live.⁵⁶ Despite their cultural differences, the various groups of indigenous peoples around the world share common problems related to the protection of their rights as distinct peoples.⁵⁷ Aboriginal peoples have a long and proud history that includes rich cultural and spiritual traditions, but

⁴⁷ United Nations Secretary-General's Campaign UNiTE to End Violence against Women, *About UNiTE*, 2010.

⁴⁸ United Nations Secretary-General's Campaign to UNiTE to End Violence against Women, *About UNiTE*, 2010.

⁴⁹ United Nations Development Fund for Women, *Home*, 2010.

⁵⁰ UNIFEM, *Africa: Fostering Women's Safety*, 2009.

⁵¹ UNIFEM, *Africa: Fostering Women's Safety*, 2009.

⁵² United Nations, *Convention on the Elimination of All Forms of Discrimination against Women*, 1997.

⁵³ Convention on the Elimination of All Forms of Discrimination against Women, *General Recommendations* (n.d.).

⁵⁴ Avni, *Saudi Arabia Claims Progress on Gender Equality*, 2007.

⁵⁵ Avni, *Saudi Arabia Claims Progress on Gender Equality*, 2007.

⁵⁶ UN Permanent Forum on Indigenous Issues, *ABOUT UNPFII and a brief history of indigenous peoples and the international system*, 2006.

⁵⁷ UN Permanent Forum on Indigenous Issues, *ABOUT UNPFII and a brief history of indigenous peoples and the international system*, 2006.

many of these traditions were altered or even taken away upon the arrival of European settlers. The forced introduction of European culture and values to Aboriginal societies, the dispossession of Aboriginal lands, and the imposition of alien modes of governance began a cycle of social, physical, and spiritual destruction.⁵⁸

Indigenous peoples are arguably among the most disadvantaged and vulnerable people in the world today.⁵⁹ Despite the extensive diversity in indigenous communities throughout the world, all indigenous peoples share one thing in common – a history of injustice.⁶⁰ Almost all indigenous populations have fallen victim at least once to colonization and/or have had their self-determination as a people threatened or revoked entirely.⁶¹ Indigenous peoples have been killed, tortured, and enslaved. In many cases, they have been the victims of genocide.⁶² They have been denied the right to participate in governing processes of the current state systems.⁶³ Conquest and colonization have attempted to steal their dignity and identity as indigenous peoples, as well as the fundamental right of self-determination.⁶⁴ Cut off from resources and traditions vital to their welfare and survival, many indigenous peoples are unable to fully enjoy such human rights as the right to food, the right to health, the right to housing, or cultural rights.⁶⁵ Instead they face marginalization, poverty, disease and violence – in some instances extinction as a people.⁶⁶ Centuries later, do states have a unique responsibility to provide special services to indigenous populations; or is urging states to provide service an encroachment on state doctrine?

As a key example of the clash between human rights and state doctrine, the Uyghur people in East Turkistan face religious persecution and discrimination at the hands of Chinese authorities.⁶⁷ Uyghurs who choose to practice their faith can only use the state-approved version of the Quran; men who work in the state sector cannot wear beards and women cannot wear headscarves.⁶⁸ The Chinese state, within its right as an autonomous state, strictly controls the management of all mosques, stifling religious traditions that have formed a crucial part of the Uyghur identity for centuries.⁶⁹

Indigenous peoples rights in the United Nations system

The United Nations has responded to the need to enhance the rights of indigenous peoples by establishing a number of bodies and documents, the most prevalent of which is the UN Permanent Forum on Indigenous Issues (UNPFII). The Forum is an advisory body to the Economic and Social Council (ECOSOC), with a mandate to discuss indigenous issues related to economic and social development, cultural, education, health and human rights.⁷⁰ It has also established a series of other working groups and committees dedicated toward preserving the self-determination of indigenous populations around the world, including the UN Working Group on Indigenous Populations, which reviews national developments concerning the promotion and protection of indigenous peoples' human rights; the UN Working Group on the Draft Declaration on the Rights of Indigenous People, which drafts provisions that provide a basis for universally accepted legal protections for indigenous peoples around the world; and the UN Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous peoples, which works closely with the UNPFII.⁷¹ Further, in September 2007 the Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly.⁷² The Declaration is considered by the UNPFII to be the most

⁵⁸ Centre for Social Justice, *Aboriginal Issues*, 2007.

⁵⁹ UN Permanent Forum on Indigenous Issues, *ABOUT UNPFII and a brief history of indigenous peoples and the international system*, 2006.

⁶⁰ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶¹ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶² Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶³ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶⁴ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶⁵ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁶⁶ Amnesty International: Canada, *The Human Rights of Indigenous Peoples: Overview*, 2009.

⁶⁷ Uyghur Human Rights Project, *Religious Persecution* (n.d.).

⁶⁸ Uyghur Human Rights Project, *Religious Persecution* (n.d.).

⁶⁹ Uyghur Human Rights Project, *Religious Persecution* (n.d.).

⁷⁰ UN Permanent Forum on Indigenous Issues, *Indigenous Issues at the United Nations*, 2006.

⁷¹ Human Rights Library, *The Rights of Indigenous Peoples*, 2003.

⁷² UN Permanent Forum on Indigenous Issues, *ABOUT UNPFII and a brief history of indigenous peoples and the international system*, 2006.

comprehensive statement of the rights of indigenous people ever developed.⁷³ The Forum has more recently established a number of missions within which UNPFII members visit countries in the company of other organizations promoting the strengthening of human rights for indigenous populations. For example during July 2010, UNPFII members visited Colombia to observe the situation of indigenous peoples and, in particular, the situation of the Awa and other indigenous peoples experiencing conflict-related abuses and facing the risk of extinction.⁷⁴

Yet, despite some progress over the last decade in maintaining sensitivity toward cultural differences in indigenous populations, indigenous peoples around the world continue to live in hardship and danger due to the failure of states to uphold their fundamental human rights.⁷⁵ Indigenous people are still being uprooted from their lands and communities as a consequence of discriminatory government policies, the impact of armed conflicts, and the actions of private economic interests.⁷⁶ For example, the Omo Valley tribes of Ethiopia are currently being threatened by the construction of a massive hydroelectric dam; in Malaysia logging and oil palm destroying is jeopardizing the livelihood of the nomadic Penan people; and the government of Botswana has instituted a ban preventing Bushmen from accessing a borehole on which they rely for water.⁷⁷

Each of these examples falls squarely within the context of the communitarian-cosmopolitan debate and the clash between individual autonomy and cultural autonomy. Does the state have a legal obligation to ensure equal access to basic amenities despite being so far-removed from mainstream society, or is calling upon states to fulfill this obligation an encroachment on national sovereignty? Should a tribe's livelihood (like the Omo's) play a decisive role in state affairs? These are crucial issues that delegates must respond to.

Other Areas

This background guide discussed women's and indigenous peoples' rights as examples of the ongoing clash between cultural integrity and universal human rights, but is by no means a comprehensive representation of all areas that this conflict exists. The following section lists out a few other areas that delegates can turn their attention.

Genocide

The incidence of genocide is often entrenched in cultural intolerance and when different national, racial, ethnic, and/or religious groups become locked in identity-related conflicts. For example, the Rwanda Genocide – which pitted Hutu and Tutsi groups against each other – was fomented almost exclusively by cultural and racial intolerance.⁷⁸ Scholars have described the Rwanda Genocide in particular as a “cultural genocide” that sought to purge an entire cultural identity.⁷⁹

UN agencies, departments and programs contribute to the prevention of genocide in a variety of ways, including by supporting equitable development, promoting the protection of human rights, and providing humanitarian assistance and interceding to ensure peace, security and stability.⁸⁰

Lesbian, Gay, Bisexual, and Transgender (LGBT) Rights

Gay rights have very recently become an issue discussed by the UN General Assembly. In December 2008 sixty-six countries signed a joint statement in support of Lesbian, Gay, Bisexual, and Transgender (LGBT) human rights.⁸¹ Prior to the passage of this statement, the last major discussion of LGBT rights had been in 1994 during the *Toonen v. Australia* decision, in which the UN Human Rights Committee ruled that sexual orientation is a status protected against discrimination by the International Covenant on Civil and Political Rights.⁸²

⁷³ UN Permanent Forum on Indigenous Issues, *ABOUT UNPFII and a brief history of indigenous peoples and the international system*, 2006.

⁷⁴ UN Permanent Forum on Indigenous Issues, *UNPFII Visit to Colombia*, 2010.

⁷⁵ Amnesty International: Canada, *The Human Rights of Indigenous Peoples: Overview*, 2009.

⁷⁶ Amnesty International: Canada, *The Human Rights of Indigenous Peoples: Overview*, 2009.

⁷⁷ Survival International, *Tribes & campaigns*, 2010.

⁷⁸ Office of the Special Adviser on the Prevention of Genocide, *Genocide: What is Genocide*, 2009.

⁷⁹ Narsessian, *Rethinking Cultural Genocide Under International Law*, 2005.

⁸⁰ Office of the Special Adviser on the Prevention of Genocide, *Genocide: What is Genocide*, 2009.

⁸¹ Gays Without Borders, *66 Countries Back UN Statement for LGBT Human Rights*, 2008.

⁸² Gays Without Borders, *66 Countries Back UN Statement for LGBT Human Rights*, 2008.

Though these advances have been made, not a single international human rights convention explicitly acknowledges the human rights of LGBT people.⁸³

Handicaps and Disabilities

Finally, the United Nations is also concerned with protecting the rights of other minorities, such as individuals with handicaps. On 12 March 1984, the Commission on Human Rights adopted resolution 1984/31 recommending to the Economic and Social Council (ECOSOC) that it appoint a Special Rapporteur to undertake a thorough study of the casual connection between serious violations of human rights and disability.⁸⁴

In 2008, the Convention on the Rights of Persons with Disabilities (CRPD) entered into force. The principles of the international treaty serve as a framework to secure the protection of people with disabilities against discrimination and exclusion in countries that have signed and ratified the Convention.⁸⁵

Conclusion

Despite international collaboration and the establishment of a number of bodies, conventions, and documents aimed toward alleviating the tension between promoting universal human rights and honoring cultural integrity, the world continues to witness egregious human rights violations among females and indigenous populations, as well as carried out through the execution of genocide and other crimes against humanity.

Scholars and officials within the United Nations have argued that human rights are not representative of, nor oriented toward, one particular culture.⁸⁶ Universal human rights reflect the dynamic, coordinated efforts of the international community to achieve and advance a common standard and international system of law to protect human dignity.⁸⁷ Intrinsic in this is the capacity that human rights are flexible and relevant to diverse cultures, and that it is the international community's responsibility to facilitate that end by using existent bodies – as well as forming new ones – to ensure continued cultural sensitivity; protection of self-determination; and the promotion and preservation of universal human rights as guaranteed by the Universal Declaration of Human Rights and the UN Charter.

In the interim, a slew of questions remain: Is the UN system well-equipped to address these issues, e.g. in the Human Rights Council? Can delegates bridge the gap between cultural integrity and universal human rights, or should international norms evolve in such a way that one eventually trumps the other? How best can national sovereignty be respected while consecutively pushing for adoption and enforcement of better protections of some socially disaggregated populations? Delegates should ponder these considerations in their deliberations.

⁸³ Gays Without Borders, *66 Countries Back UN Statement for LGBT Human Rights*, 2008.

⁸⁴ UN Enable, *Human Rights and Disabled Persons*, 2004.

⁸⁵ Handicap International, *US signs UN Treaty on Rights of Persons with Disabilities*, 2009.

⁸⁶ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

⁸⁷ Ayton-Shenker, *The Challenge of Human Rights and Cultural Diversity*, 1995.

II. Promoting Alternative Development Strategies to Combat the World Drug Trade

“Drugs destroy lives and communities, undermine sustainable human development and generate crime. Drugs affect all sectors of society in all countries; in particular, drug abuse affects the freedom and development of young people, the world’s most valuable asset. Drugs are a grave threat to all health and well-being of all mankind, the independence of States, democracy, the stability of nations, the structure of all societies, and the dignity and hope of millions of people and their families.”⁸⁸

Introduction

The global crisis of drug use has raised attention to both supply and demand aspects of the illicit drug trade. Alternative development (AD), a concept that focuses on the supply side, seeks to “address the broader socio-economic situation of the farmers and their overall quality of life.”⁸⁹ Through focusing efforts on the development issues surrounding drug cultivation, it is hoped that sustainable alternatives can be successful. The United Nations (UN) Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development defines alternative development as:

“...A process to prevent and eliminate the illicit cultivation of plants containing narcotic drugs and psychotropic substances through specifically designed rural development measures in the context of sustained national economic growth and sustainable development efforts in countries taking action against drugs, recognizing the particular socio-cultural characteristics of the target communities and groups, within the framework of a comprehensive and permanent solution to the problem of illicit drugs.”⁹⁰

There is a sharp need for a rigorous and comprehensive approach to determine best practices in AD through assessing strategies in terms of both human development indicators and drug control objectives. The socio-cultural, economic, political, and environmental milieu in which alternative development operates cannot be underestimated.⁹¹ AD is part of a holistic approach that includes other development challenges such as poverty reduction, gender, environmental sustainability, and conflict resolution.⁹² AD to combat the world drug trade is intimately linked to the achievement of the Millennium Development Goals (MDGs).⁹³ The steps to achieving the goals and related indicators of the MDGs are undermined in illicit drug production scenarios.⁹⁴

International Conventions and UN Bodies Related to Illicit Drugs

States have taken collective efforts through UN instruments in order to construct a platform to address the problem and associated problems of illicit drugs. There are three main conventions that elaborate the role of the UN in addressing drug control efforts: The first is the 1961 Single Convention on Narcotic Drugs designed to prohibit the production and supply of specific narcotics and consolidate previous international treaties.⁹⁵ The second is the 1971 Convention on Psychotropic Substances, which is designed to control psychoactive drugs through import and export restrictions and specifically addresses opiate restrictions.⁹⁶ The third is the 1988 Convention on the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which enhances international cooperation against drug trafficking and expands legal mechanisms to extradite drug traffickers.⁹⁷ These conventions are executed through the mandates and operations of the Commission on Narcotic Drugs (CND), a functional commission of the Economic and Social Council (ECOSOC), and the International Narcotics Control

⁸⁸ United Nations General Assembly 20th Special Session, *Political Declaration (A/RES/S-20/2)*, 1998.

⁸⁹ United Nations Office on Drugs and Crime, *UNODC and Alternative Development*, 2010, p.5.

⁹⁰ United Nations General Assembly 20th Special Session, *UNGASS Action Plan (A/RES/S-20/4)*, 1998

⁹¹ United Nations Office on Drugs and Crime, *UNODC Alternative Development: Global Thematic Evaluation - Final Synthesis Report*, 2005, p. 7.

⁹² United Nations Office on Drugs and Crime, *Making a Difference Through Alternative Development*, 2010, p. 4.

⁹³ United Nations Office on Drugs and Crime, *Making a Difference Through Alternative Development*, 2010, p. 4.

⁹⁴ United Nations Office on Drugs and Crime, *Making a Difference Through Alternative Development*, 2010, p. 4.

⁹⁵ *Single Convention on Narcotic Drugs*, 1961.

⁹⁶ *Convention on Psychotropic Substances*, 1971.

⁹⁷ *Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*, 1988.

Board (INCB).⁹⁸ Additionally, the United Nations Office of Drugs and Crime (UNODC) is a UN agency established in 1997, mandated to assist Member States “in their struggle against illicit drugs, crime and terrorism,” and plays a vital role in localized anti-illicit drugs efforts.⁹⁹ The UNODC is at the forefront of the UN’s efforts to combat the abuse and trafficking of illegal drugs and provides leadership and expertise for the Secretariat and all other UN organs.¹⁰⁰ The agency also monitors the implementation of drug control conventions, and supports national drug control structures, maintaining a multitude of national and regional field offices that consult national governments in law enforcement.¹⁰¹

In 2009, the 64th General Assembly held a Special Session on International cooperation against the world drug problem and adopted resolution A/RES/64/182. The resolution addresses the importance of alternative development as a viable strategy and reaffirms the need for multilateral cooperation to affect the world drug trade.¹⁰² The ECOSOC, in E/RES/2009/23, calls for support for the development and implementation of the regional programmes of the UNODC.¹⁰³ The issue of the world drug trade remains on the forefront of the issues that require a multilateral approach and cooperation.

Impacts of the World Drug Trade

The cycle of illicit drug production is linked with the challenges of development and the perpetuation of illicit activity. This includes the almost 4.5 million people that depend on income derived from the cultivation of illicit drug crops.¹⁰⁴ In most cases, these populations live below relative poverty levels and typically 50 percent of their incomes derive from cultivation.¹⁰⁵ These people often belong to marginalized socio-economic and racial classes within a society.¹⁰⁶ The poorest of the poor in a society, the ones most likely involved in crop cultivation, are particularly vulnerable to a delicate and tenuous social fabric that is both disturbance-prone and particularly susceptible to violence.¹⁰⁷ Their situations are linked with illiteracy; lack of access to education, health services, or clean water; and disease.¹⁰⁸ On a societal level, there is a strong correlation between drug cultivation and government corruption, low capacity of law enforcement, drug addiction within the population, and deadly internal conflict.¹⁰⁹

In the past 25 years, attempts to reduce supply have had no measurable impact at the global level.¹¹⁰ Overall figures of illicit cultivation of opium poppy and coca are relatively stable and these crops now have higher yields because of improved agricultural techniques, which also have worked to also increase drug potency.¹¹¹ Estimates for opium/heroin and coca/cocaine have shown a clear upward trend in production yields over the past decade.¹¹² In the largest demand markets, however, wholesale and retail prices have shown a consistent downward trend, indicating that drugs of choice are increasingly becoming cheaper.¹¹³ From this information, there is an almost certain absence of positive impacts in terms of current predominant drug control strategies.¹¹⁴ The world drug problem is becoming

⁹⁸ United Nations Secretariat, *Organization of the United Nations Office on Drugs and Crime (ST/SGB/2004/6)*, 2004.

⁹⁹ United Nations Office on Drugs and Crime, *About the UNODC*, 2010.

¹⁰⁰ United Nations Secretariat, *Organization of the United Nations Office on Drugs and Crime (ST/SGB/2004/6)*, 2004.

¹⁰¹ United Nations Office on Drugs and Crime *2007 World Drug Report*, 2007, p. 7.

¹⁰² United Nations General Assembly 64th Session, *International Cooperation against the world drug problem (A/RES/64/182)*, 2010.

¹⁰³ United Nations Economic and Social Council, *Support for the development and implementation for the regional programmes of the United Nations Office on Drugs and Crime (E/RES/2009/32)*, 2009.

¹⁰⁴ United Nations Office of Drugs and Crime, *Making a Difference Through Alternative Development*, 2010.

¹⁰⁵ United Nations Office of Drugs and Crime, *Making a Difference Through Alternative Development*, 2010.

¹⁰⁶ United Nations Office of Drugs and Crime, *Making a Difference Through Alternative Development*, 2010.

¹⁰⁷ United Nations Office of Drugs and Crime, *Alternative Development: A Global Thematic Evaluation Final Synthesis Report*, 2002, p. 8.

¹⁰⁸ United Nations Office of Drugs and Crime, *Making a Difference Through Alternative Development*, 2010, p. 6.

¹⁰⁹ United Nations Office of Drugs and Crime, *Alternative Development: A Global Thematic Evaluation Final Synthesis Report*, 2002, p. 3.

¹¹⁰ United Nations General Assembly 20th Special Session, *UNGASS Action Plan (A/RES/S-20/4)*, 1998.

¹¹¹ US Department of State, *2000 International Narcotics Control Strategy Report*, 2001, p. 3.

¹¹² US Department of State *2000 International Narcotics Control Strategy Report*, 2001, p. 3.

¹¹³ United Nations Office for Drug Control and Crime Prevention, *Global Illicit Drug Trends 2000*, p. 10.

¹¹⁴ United Nations Office on Drugs and Crime, *Sustainable Livelihoods: A broader vision*, 2010, p. 6.

an increasingly difficult challenge. Thus, while AD strategies have promise, the challenges for AD are significantly acute.

Case Studies

The two case studies included below on Afghanistan and Southeast Asia present different circumstances of illicit drug cultivation. These scenarios offer a wider perspective and deeper understanding of how AD strategies can be more effective to combat the world drug trade. There are also major issues that face North American, Latin American, and African states in terms of drug production and trade. The concepts and strategies presented in the case studies are worthwhile for the issues and strategies that are currently being pursued by the UNODC and other organizations.

Afghanistan

Drug cultivation in Afghanistan has catastrophic consequences: drug profits fund criminals, insurgents, and terrorists in Afghanistan and abroad.¹¹⁵ It also contributes to the corruption of government officials, which undermines the rule of law and security, and problems associated with drug-related money laundering affect the reputation of banks in the Gulf.¹¹⁶

In Afghanistan, the number of poppy free provinces increased from 18 to 20 in 2009, and countrywide production has dropped dramatically.¹¹⁷ However, this may be due to higher extraction of opium per bulb.¹¹⁸ In the Golden Triangle area of Southeast Asia, only recently dethroned by Afghanistan as the world's largest supply region for opium, poppies yield about 10kg of opium per hectare, and in 2009 Afghan poppies in the most fertile areas yielded a record 56 kg/hectare, a 15% increase from last year's record of 49kg.¹¹⁹ As a result, while cultivation decreased by 22%, the expected 800-ton decline is roughly equivalent to twice the amount currently supplied by the Golden Triangle, with a retail value of approximately USD 8 billion in consuming nations.¹²⁰

Considering the critical security situation, AD approaches need careful planning. In 2008, Afghan and NATO forces destroyed nearly 90 tons of pre-cursor production chemicals, which resulted in only a minimal impact to the drug economy.¹²¹ In Afghanistan, most deterrent and military interventions have caused unintended consequences.¹²² UNODC surveys show that farmers are increasingly wary of retaliation and violence associated with illicit trade, thus, the drug trade has become more discreet and supplies are hidden underground or in the impassible Hindu Kush mountain range.¹²³

The AD approach in Afghanistan is being centered on poverty eradication in addition to poppy eradication.¹²⁴ Many farmers grow opium because they depend on loans provided by traders as a down payment for the subsequent drug harvest.¹²⁵ Historically, "this has trapped farmers in debt bondage."¹²⁶ Additionally, the UNODC strategy indicates a need for "rural development to be as robust as the current military offensive," with fewer restrictions on development assistance.¹²⁷ The UNODC indicates that a regionally inclusive AD strategy is also vital for success - this includes addressing the insecurity in Pakistan.¹²⁸ Often, once crops have been removed or eradicated, groups

¹¹⁵ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 3.

¹¹⁶ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 3.

¹¹⁷ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 3.

¹¹⁸ United Nations Office on Drugs and Crime, *Afghanistan Opium Price Monitoring Monthly Report June 2009*, 2009, p. 5.

¹¹⁹ United Nations Office on Drugs and Crime *Opium Survey: Summary Findings*, 2009, p. 3.

¹²⁰ United Nations Office on Drugs and Crime *Opium Survey: Summary Findings*, 2009, p. 3.

¹²¹ North Atlantic Treaty Organization, *Afghanistan Report 2009*, 2009, p. 3.

¹²² UNDP, *Tackling Corruption, Transforming Lives*, 2008.

¹²³ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 3.

¹²⁴ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 4.

¹²⁵ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 4.

¹²⁶ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 4.

¹²⁷ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 4.

¹²⁸ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 5.

simply move to Pakistan to regroup.¹²⁹ It is estimated that a quarter of all Afghan narcotics is smuggled through Pakistan, as there are no seizures in Pakistan's Federally Administered Tribal (border) Areas.¹³⁰

There is a certain paradox to the situation of drugs in Afghanistan, as controlling drugs will not solve all of the country's problems, but the country's problems cannot be solved without controlling drugs.¹³¹ This challenge offers the opportunity for creating innovative AD policy, approach, and strategy.

South East Asia

The overlapping area of Myanmar, Vietnam, Laos, and Thailand comprise what is known as the "Golden Triangle."¹³² Since the 1998 United Nations General Assembly Special Session UNGASS, opium production in Southeast Asia has declined by approximately 67%, from 1,437 metric tons in 1998 to 469 tons in 2007.¹³³ The land area under cultivation has also declined by approximately 80% from 158,230 hectares to 29,200 in the same period.¹³⁴ Vietnam, Thailand, and Laos marked successes in drug production eradication by eliminating opium poppy in 2000, 2003, and 2006 respectively.¹³⁵ However, there was a 26% increase in opium poppy cultivation in other areas in South East Asia from 2006 to 2009.¹³⁶ Thus, it seems that the problem was in some ways shifted from hostile cultivation zones to areas in which production was possible. The UNODC attributed the problem to geopolitical and trans-boundary threats.¹³⁷ While governments have been integrating the AD vision into national agendas, the work is isolated in the sense that if one country fails or succeeds, drug cultivation spreads into a neighboring country.¹³⁸ Additionally, there are geo-political forces, such as economic pressure from China, which has assisted in states taking swifter action against drug production.¹³⁹ A 2008 UNODC report indicates that production is a, "symptom of the growing strength of the criminal cultural that had emerged during the time when poppy cultivation was legally possible for some but not for others." In this way, the criminal element of drug production was able to expand to the point where it could take advantage of the new opportunities even while control measures on poppy cultivation were being implemented."¹⁴⁰

Some of the issues addressed in AD implementation have been: 1) poverty; 2) illness; 3) hunger; 4) incompetence (identified by UNDP as farmers having a lack of knowledge or training on how to produce alternative crops); and 5) apathy (addressing the problems faced by farmers controlled by leaders who leave little room for alternatives).¹⁴¹ A major lesson learned in implementing successful AD programs has been to create government ownership of alternative development. In Thailand, the governments accepted the idea of rural development and included AD in its national agendas.¹⁴² A strategy also included in Southeast Asia has been revolving funds - small credit schemes

¹²⁹ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 5.

¹³⁰ United Nations Office on Drugs and Crime, *Opium Survey: Summary Findings*, 2009, p. 5.

¹³¹ NATO, *Afghanistan Report 2009*, 2009, p. 2.

¹³² New York Times, *No Blowing Smoke: Poppies Fade in Southeast Asia*, 2007.

¹³³ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁴ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁵ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁶ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁷ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁸ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹³⁹ New York Times, *No Blowing Smoke: Poppies Fade in Southeast Asia*, 2007.

¹⁴⁰ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴¹ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴² United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4

that provide financial assistance to individuals, cooperatives, and other small groups. This has also opened market access where people are able to purchase and sell what has been produced.¹⁴³

Securing market access for alternative crops is a decisive point for AD success.¹⁴⁴ In Myanmar, private sector cooperation has been imperative; this includes securing access to markets for the alternative crops.¹⁴⁵ Opiate cultivation, though dangerous, is a cash crop for farmers and access to illegal markets is possible because of the demand. When farmers are given the option of cultivating alternative legal crops, these programs depend on farmers being able to replace lost drug production income, so access to markets for these alternative crops is a vital necessity.¹⁴⁶

Challenges of Alternative Development

The concept of alternative development is based on the assumption that drug problems are closely linked to development problems, and that effective development policy measures can bring about a sustainable reduction in drug cultivation.¹⁴⁷ AD is also a response to the low impact and effectiveness of military measures to combat drug trafficking.¹⁴⁸ There are, however, many challenges that even the most well designed development intervention must overcome.¹⁴⁹ A major challenge is implementing AD alongside more traditional drug control measures, so the two approaches might benefit from each other.

Perhaps one of the greatest challenges is the view of AD as a definitive strategy rather than a process of changing the lives of individuals and/or communities.¹⁵⁰ In UNODC project implementation in Southeast Asia, project workers mostly have gone into activities with a “willingness to learn from what the villagers know in order to make the most useful interventions. The fact that UNODC has met with success is because it blends the knowledge of its staff and the related government officials together with what the villagers tell them.”¹⁵¹ In this way, AD methods are a way of engaging at the local, grassroots level, rather than an international umbrella strategy. Each scenario in which AD is implemented requires careful planning, monitoring, and evaluation. The approach of AD is strengthened when it adapts local needs to international norms and standards.¹⁵²

Another major challenge is that while there is an increase in drug production yields, a rise in illicit drug demand, and greater concentration on AD strategies, perhaps the scope of AD strategy is limited by sole focus on supply-side interventions.¹⁵³ Structural increases and decreases of illicit cultivation depend largely on the functioning of the illicit drug economy and economic forces such as price trends, trafficking routes and composition, entrepreneurial structures, and geopolitical developments.¹⁵⁴ AD strategy becomes marginalized in the face of these challenges.¹⁵⁵

Conclusion

There have been certain successes as well as failures in terms of regionalized AD strategy. The diverse impacts of the global drug trade on the various people and states involved pose a multitude of challenges and affect all Member

¹⁴³ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴⁴ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴⁵ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴⁶ United Nations Office on Drugs and Crime, *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*, 2008, p. 4.

¹⁴⁷ Berg, *The 'alternative development' concept - potentials, successes and limits*, 2003, p. 2.

¹⁴⁸ Berg, *The 'alternative development' concept - potentials, successes and limits*, 2003, p. 2.

¹⁴⁹ United Nations Office of Drugs and Crime, *Making a Difference Through Alternative Development*, 2010, p. 4.

¹⁵⁰ United Nations Office of Drugs and Crime, *Sustainable Livelihoods: A Broader Vision- Social Support and Integration to Prevent Illicit Drug Use, HIV/AIDS and Crime*, 2010, p. 3.

¹⁵¹ United Nations Office of Drugs and Crime, *Sharing lessons Learned South East Asia*, 2008, p. 3.

¹⁵² United Nations Office of Drugs and Crime, *Sustainable Livelihoods: A Broader Vision- Social Support and Integration to Prevent Illicit Drug Use, HIV/AIDS and Crime*, 2010, p. 3.

¹⁵³ International Narcotics Control Board, *Report of the International Narcotics Control Board for 2005*, 2005, p. 5.

¹⁵⁴ United Nations General Assembly, *International Cooperation against the world drug problem (A/RES/64/182)*, 2010.

¹⁵⁵ International Narcotics Control Board, *Report of the International Narcotics Control Board for 2005*, 2005, p. 5.

States of the United Nations. Without a strong multilateral approach, AD strategies will be at best short-term gains rather than long term, sustainable victories. The future international security, well-being, and progress of human development are put into serious question because of the consequences of the illicit world drug trade. Delegates should consider the ways in which their State is involved in the spread of illicit drugs and in which ways it is affected by drug consumption, as well as what measures it takes or could take to order counter these issues. Questions for consideration include: 1. What does your state recommend to improve AD approaches? 2. In order to promote AD, what can the body do to address from the demand-side approach to combat illicit drugs? 3. What are specific ways in measuring AD success and failure? From these parameters, what are reasonable goals that can be set in terms of development? 4. In what ways are the mission of the United Nations and each respective state challenged with the impacts of drug trade & cultivation? 5. How do insecurity and corruption affect AD, particularly in Afghanistan and Southeast Asia? 6. How can AD strategies be implemented alongside traditional drug control strategies in a mutually beneficial manner? 7. How can AD be made more regionally inclusive, so problems of cultivation do not simply migrate across borders?

III. Protection of human rights and fundamental freedoms while countering terrorism

“Pursuing security objectives at all costs may create a world in which we are neither safe nor free.”¹⁵⁶

Introduction

Following the horrors of World War II, many governments realized that a concept of state sovereignty that allowed states to treat their citizens as they pleased within their borders was obsolete, having led to the most destructive war in history and tens of millions dead.¹⁵⁷ From that point forward, governments realized they would have a responsibility to safeguard the rights of their citizens, and the recently formed United Nations would have a role to play in promoting and protecting international human rights standards.¹⁵⁸

Since the terrorist attacks of September 11, 2001, international standards of human rights, painstakingly developed by governments, activists, non-governmental organizations over the course of several decades have met their biggest challenge in the actions of national governments that have sought to deter and prevent further acts of international terrorism.¹⁵⁹ Around the world, countries have scaled back fundamental rights and freedoms, cracked down on opposition parties and minority groups, and committed other abuses in the name of fighting terrorism.¹⁶⁰ This risks exacerbating the problem of terrorism by feeding its root causes, which the High Level Panel on Threats, Challenges and Change identified as “despair, humiliation, poverty, political oppression and human rights abuse.”¹⁶¹

According to the United State’s Department of State annual report on international terrorist activity, there were 10,999 terrorist attacks worldwide in 2009, the lowest number in five years, and significantly down from the high of 14,443 in 2006, at the height of the Iraq war.¹⁶² The attacks in 2009 claimed almost 15,000 lives, down from nearly 23,000 in 2006.¹⁶³ Faced with this unprecedented assault on human security, governments must find a way to protect their citizens from the threat of terrorism while at the same time protecting the human rights and fundamental freedoms of those accused of terrorism.¹⁶⁴ As Secretary-General Kofi Anna stated in a briefing to the Security Council in 2002, “we should all be clear that there is no trade-off between effective action against terrorism and the protection of human rights. On the contrary, I believe that in the long term we shall find that human rights, along with democracy and social justice, are one of the best prophylactics against terrorism.”¹⁶⁵

¹⁵⁶ Statement by the UN Commissioner for Human Rights, Human Rights Day, 2005

¹⁵⁷ Ziring, Riggs and Plano, *The United Nations: International Organization and World Politics*, 4th ed., 2005, p. 404

¹⁵⁸ Human Rights Education Associates

¹⁵⁹ United Nations General Assembly (A/56/PV.16), 2001, p.11

¹⁶⁰ Koufa, *The UN, Human Rights and Counter-terrorism*, 2006, p. 63

¹⁶¹ United Nations Report of the High Level Panel on Threats, Challenges and Change, 2004, p. 47

¹⁶² LaFranchi, *Last Year, 10,999 terrorist attacks worldwide – a decline from 2008*, 2010

¹⁶³ LaFranchi, *Last Year, 10,999 terrorist attacks worldwide – a decline from 2008*, 2010

¹⁶⁴ Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, *Background Paper on Extradition and Human Rights in the Context of Counter-terrorism*, 2007, p.2

¹⁶⁵ United Nations Security Council, *Human Rights*, 2006

“Secondly, while mention is regularly made to the ‘necessity of maintaining and safeguarding the basic rights of the individual in accordance with the relevant international human rights instruments and generally accepted international standards’ when fighting terrorism, there is scant (or rare) reference to terrorism as both a cause and effect of human rights abuses. One such rare example is General Assembly Resolution 40/61 (1985), which points out that, in some cases, perpetrators may be driven to terrorist acts by violations of human rights, and urges states and the UN organs to ‘contribute to the progressive elimination of the causes underlying international terrorism’.”¹⁶⁶

The United Nations and Human Rights

At the urging of certain NGOs, the drafters of the Charter included the words “human rights” seven times, such as in Article I, which describes as one of the purposes of the United Nations to be “in promoting and encouraging respect for human rights and for fundamental freedoms for all.”¹⁶⁷ Following the Charter was the Universal Declaration of Human Rights, adopted by the General Assembly on December 10, 1948.¹⁶⁸ The Universal Declaration of Human Rights is a set of voluntary norms and elucidates “thirty principles, including rights critical for the exercise of political freedom and for the preservation of civil society, as well as social and economic rights.”¹⁶⁹

Complementary to the Universal Declaration are the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). These are both legally-binding treaties that hold Member States that have ratified them to a standard of behavior in protecting rights and include verification and enforcement mechanisms.¹⁷⁰ Most importantly for the discussion of this topic, the ICCPR prohibits arbitrary government action by guaranteeing the “traditional freedoms of speech, press, worship, assembly, security of person and property, political participation, and procedural due process.”¹⁷¹

Also relevant to the discussion of human rights and terrorism are the UN High Commissioner for Human Rights (UNHCHR), and the Human Rights Council (HRC). The office of the UNHCHR was established based on the recommendation of the Vienna Declaration and Programme of Action in 1993 and it acts as a “focal point for the promotion of human rights” by providing advisory services, system-wide coordination and strengthening of UN human rights machinery.¹⁷² The Human Rights Council established in 2006 following the recommendation of Secretary-General Kofi Annan in his report “In Larger Freedom” replaces the much-criticized Commission on Human Rights. The purpose of the HRC is to “promote respect for human rights, recommend new treaties and norms, periodically review compliance by all member states and directly address serious human rights violations.”¹⁷³

In addition to these tasks, the HRC has also inherited the “Special Procedures” that were established by the Commission on Human Rights for the investigation of certain specific country situations or thematic issues that are global in nature. Special Procedures involve conducting research, examinations, monitoring and public reporting by a Special Rapporteur.¹⁷⁴ Established by resolution 2005/80 of the Commission on Human Rights in 2005, the Special Rapporteur on the Promotion and Protection of Human Rights While Countering Terrorism is charged with investigating alleged violations of human rights and fundamental freedoms while countering terrorism, identifying best practices in the protection of human rights, and in reporting periodically to the General Assembly.¹⁷⁵

¹⁶⁶ Koufa, *The UN, Human Rights and Counter-terrorism*, 2006, p. 50

¹⁶⁷ United Nations, Charter of the United Nations, 1945

¹⁶⁸ United Nations, *Universal Declaration of Human Rights*, 1948

¹⁶⁹ Karnes and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p.429

¹⁷⁰ United Nations High Commissioner for Human Rights *International Covenant on Economic, Social and Cultural Rights*, 1976,

Article 29 and *International Covenant on Civil and Political Rights*, 1976, Article 51

¹⁷¹ Ziring, Riggs and Plano, *The United Nations: International Organization and World Politics*, 4th ed., 2005, 409

¹⁷² Karnes and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p. 441

¹⁷³ UNA-USA, *Global Agenda*, 2009, p.126

¹⁷⁴ United Nations High Commissioner for Human Rights, Special Procedures of the Human rights Council

¹⁷⁵ United Nations High Commissioner for Human Rights, Special Rapporteur on the protection of human rights while countering terrorism

While the UN is able to articulate international standards of human rights, it lacks the ability to enforce them, other than through “naming and shaming” violators publicly.¹⁷⁶ The enforcement of international human rights norms is generally left to national courts or other coercive measures that states have at their disposal.¹⁷⁷ The UN works for the advancement of human rights by “elevating international human rights standards of international law, promoting them through education and dissemination of information.”¹⁷⁸ The UN only condemns egregious lapses of human rights standards only “with respect to civil and political rights.”¹⁷⁹

It is recognized that acts of terrorism are threats to fundamental human rights, such as the right to life.¹⁸⁰ In his report “In Larger Freedom,” then Secretary-General Kofi Annan recognized that terrorism is a threat to the values articulated by the UN on many subjects, such as “respect for human rights, the rule of law, the protection of civilians, tolerance among peoples and nations, and the peaceful resolution of conflict.”¹⁸¹

Many of the anti-terrorism measures taken since September 11, 2001 have had a detrimental effect on the protection of human rights due to the “vague and overbroad definitions” being used by governments.¹⁸² These risk “sweeping peaceful, expressive activity into the definition of terrorism and can be the basis for repressive regimes attacking political opponents.”¹⁸³ Governments have used the pretext of the global war on terrorism to “target dissidents, national liberation movements, or anyone opposed to the regime” by describing them as terrorists and labeling them as military threats.¹⁸⁴

The United Nations and Counter-terrorism

The UN is a logical player in fight against terrorism because it is a universal organization and can provide legitimacy for state action.¹⁸⁵ The UN has long been involved in addressing terrorism, having overseen the development of “16 international instruments that criminalize nearly every imaginable terrorist offense and facilitate international legal cooperation.”¹⁸⁶ This has resulted in the creation of a legal foundation and global strategy for fighting terrorism.¹⁸⁷

The issue of terrorism was first included on the Agenda of the UN General Assembly in 1972 at the urging of Secretary-General Kurt Waldheim, following the attack on Israeli athletes at the Munich Olympics.¹⁸⁸ However, the General Assembly made little progress in addressing the human rights dimension of terrorism until the World Conference on Human Rights in Vienna recognized that “the acts, methods and practices of terrorism...are activities aimed at the destruction of human rights, fundamental freedoms and democracy.”¹⁸⁹

In the aftermath of September 11, 2001, the focal point for UN action against terrorism has been the Counter-Terrorism Committee, which operates as a central clearing house for providing assistance to states towards implementing the requirements of Security Council Resolution 1373 (2001).¹⁹⁰ Experts and NGOs criticized the

¹⁷⁶ Ziring, Riggs and Plano, *The United Nations: International Organization and World Politics*, 4th ed., 2005

¹⁷⁷ Karnes and Mingst, *International Organizations: The Politics and Processes of Global Governance*, 2004, p.442

¹⁷⁸ UNA-USA, *Global Agenda*, 2009, p.126

¹⁷⁹ Ziring, Riggs and Plano, *The United Nations: International Organization and World Politics*, 4th ed., 2005, p.406-7

¹⁸⁰ *Report of the United Nations High Commissioner for Human Rights and Follow-up to the World Conference on Human Rights*,

(E/CN.4/2002/18), 2002

¹⁸¹ United Nations General Assembly, *In larger freedom: towards development, security and human rights for all*, (A/59/2005) 2005, para 87.

¹⁸² Hoffman, *Human Rights and Terrorism*, 2004, p.938

¹⁸³ Hoffman, *Human Rights and Terrorism*, 2004, p.938

¹⁸⁴ Hoffman, *Human Rights and Terrorism*, 2004, p.940

¹⁸⁵ Foot, *The United Nations, Counter Terrorism, and Human Rights: Institutional Adaptation and Embedded Ideas*, 2007, p.492

¹⁸⁶ UNA-USA, *Global Agenda*, 2009, p.4

¹⁸⁷ UNA-USA, *Global Agenda*, 2009, p.4

¹⁸⁸ Koufa, *The UN, Human Rights and Counter-terrorism*, 2006, p.48

¹⁸⁹ United Nations General Assembly, *Vienna Declaration and Programme of Action*, 1993, para. 17

¹⁹⁰ United Nations Security Council *Letter dated 12 July 2010 from the Chair of the Security Council Committee established*

Committee for neglecting to include “reference to the duty of states to respect human rights in the design and implementation of such counter-terrorism measures.”¹⁹¹

Since 2001, the General Assembly has also accelerated its efforts to address the human rights dimension of counter-terrorism. The Resolution entitled “Protection of Human Rights and Fundamental Freedoms while Countering Terrorism” was adopted without a vote by the General Assembly in 2002 and affirmed that any actions states take to combat terrorism must be in accordance with their obligations under international standards of human rights.¹⁹²

The Global Counter-Terrorism Strategy

Following up a recommendation first made in the Report of the High Level Panel on Threats, Challenges and Change, the General Assembly at the opening of the 60th session adopted the 2005 World Summit Outcome document, which directed the Secretary-General to develop a comprehensive global counter-terrorism strategy.¹⁹³ In a speech introducing his recommendations for a the strategy in 2006, Secretary-General Kofi Annan emphasized the importance of protecting human rights in the fight against terrorism by stating that defending human rights “is a prerequisite to every aspect of any effective counter-terrorism strategy.”¹⁹⁴

Approved by the General Assembly in September 2006, the United Nations Global Counter-Terrorism Strategy “pulls together all pre-existing UN counter-terrorism resolutions and treaties into a single, coherent and universally adopted framework supported by the entire UN membership” that “underscores the need for all states to respect human rights and promote the rule of law while fighting terrorism.”¹⁹⁵

Secretary-General Kofi Annan considered upholding human rights to be such a crucial element in the fight against terrorism that the fourth pillar of the global strategy included “measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism.”¹⁹⁶ In 2008, the Secretary-General submitted a report on the implementation of the Global Counter-Terrorism Strategy, which detailed how Member States, the UN System, and regional organizations had undertaken their responsibility to implement the strategy.¹⁹⁷

Also, a state's failure to adhere to fundamental human rights norms makes it more likely that terrorist organizations will find it easier to recruit adherents among the discontented and disenfranchised and among the family and friends of those whose human rights have been violated.¹⁹⁸ Human rights violations in the name of fighting terrorism undermine efforts to respond to the threats of terrorism, making us less rather than more secure in both the short and long run.¹⁹⁹

“Urgent questions are being asked about what might be called the “collateral damage” of the war on terrorism: damage to the presumption of innocence, to precious human rights, to the rule of law and to the very fabric of democratic governance. Domestically, the danger is that, in pursuit of security, we will end up sacrificing crucial liberties, thereby weakening our common security, not strengthening it, and thereby corroding the vessel of democratic government from within.”²⁰⁰

pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council, 2010

¹⁹¹ Foot, *The United Nations, Counter Terrorism, and Human Rights: Institutional Adaptation and Embedded Ideas*, 2007, p.497

¹⁹² Koufa, *The UN, Human Rights and Counter-terrorism*, 2006, p. 61

¹⁹³ United Nations General Assembly, *World Summit Outcome*, (A/RES/60/1), 2005, p. 22

¹⁹⁴ United Nations Secretary-General, *Uniting against terrorism: Recommendations for a global counter-terrorism strategy*, (SG/SM/10440GA/10457), 2006

¹⁹⁵ UNA-USA, *Global Agenda*, 2009, p.5; United Nations General Assembly, *The United Nations Global Counter-Terrorism Strategy*, (A/RES/60/288), 2006

¹⁹⁶ United Nations General Assembly, *The United Nations Global Counter-Terrorism Strategy*, (A/RES/60/288), 2006, pg 9; United Nations Secretary General, *Closing address of the International Summit on Democracy, Terrorism and Security*, 2005

¹⁹⁷ United Nations General Assembly, *Measures to eliminate international terrorism*, (A/63/173), 2008

¹⁹⁸ Cooper, *Countering Terrorism, Protecting Human Rights*, 2007, p.21

¹⁹⁹ Hoffman, *Human Rights and Terrorism*, 2004, p.935

²⁰⁰ United Nations Security Council, High-level meeting of the Security Council: combating terrorism (S/PV.4688), 2003, p.3

Main Issues: Due Process, Arbitrary Detention and Torture

Article 9 of the Universal Declaration of Human Rights states that, no one shall be subjected to arbitrary arrest, detention or exile, thus no individual regardless of the circumstances should be deprived of their access to due process of law. However, there are several instances where the tools employed by governments to ensure security and deter future terrorist activity closely resembled actions that repressive governments have and continue to use to control their citizens, and diminish their rights.²⁰¹ For example, it was reported that between April and May 2000 close to 500 members of the National League for Democracy (NLD) were arrested and imprisoned and it was not clear whether the detainees were formally charged.²⁰²

Secret detention violates the right to personal liberty and introduces an environment that fosters arbitrary arrest, detention and extradition.²⁰³ Moreover the Geneva Conventions specifically address and include provisions to prohibit secret detention while Article 9 paragraph 1 of the ICCPR reaffirms these provisions and declares that no one should be subjected to arbitrary arrest or detention. Even in those cases where detainees are criminally charged, the secrecy and insecurity created violates the presumption of innocence, access to due process and is conducive to acts of torture.²⁰⁴ For example, the detention of “Maher Arar to Syria violated US obligations under Article 3 of the Convention Against Torture, which prohibits sending an individual to a country in which there is reason to believe that he will be subjected to torture.”²⁰⁵ Furthermore in the joint study produced by the Working Group on Arbitrary Detention, a host of other incidents have been reported and analyzed in an attempt to shed light on the extent to which the use of secret detention as a method to combat terrorism has become a global practice.²⁰⁶

According to studies, the link between secret detention and torture and/or ill-treatment covers two major areas: “secret detention itself may constitute torture or cruel, inhuman and degrading treatment; and secret detention may be used to facilitate torture or cruel, inhuman and degrading treatment.”²⁰⁷ Also, secret detention violates the right to family and also may be considered a form of torture as stated in Article 17 and Article 23 of the International Covenant on Civil and Political Rights due to the suffering of family members. For example in 2006 14 people who were subject to enhanced interrogation techniques, later identified as techniques that included beating and sleep deprivation, were transferred to Guantanamo Bay from other undisclosed detention centers.²⁰⁸

Case Study: Guantanamo Bay

Over 750 detainees from over 40 countries have been held at Guantanamo since January 2002, and as of November 2010, approximately 170 detainees remain.²⁰⁹ In 2007, the United States (US) proposed that the “Law of War” was the appropriate legal framework governing the detentions of “enemy combatants” and individuals who do not fall within the expressed scope of the International Covenant on Civil and Political Rights.²¹⁰ Currently, the Guantanamo Bay detainees are not considered Prisoners of War (POWs), or even civil criminals.²¹¹ If detainees were recognized as POWs, then Article 5 of the Third Geneva Convention, which outlines the rights and protections

²⁰¹ Andreychuk, R, *Case Study: Canada Anti-Terrorism Legislation*, 2003

²⁰² United Nations General Assembly *Situation of Human Rights in Myanmar*, 2000

²⁰³ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development*. (A/HRC/13/42), 2010, p.2

²⁰⁴ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development*. (A/HRC/13/42), 2010, p. 2

²⁰⁵ Hoffman, *Human Rights and Terrorism*, 2004, p.948

²⁰⁶ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development* (A/HRC/13/42), 2010, p. 89

²⁰⁷ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development* (A/HRC/13/42), 2010, p 20

²⁰⁸ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development* (A/HRC/13/42), 2010, p. 47

²⁰⁹ Global Security *Guantanamo Bay Detainees*, 2009; BBC, *Q & A: Closing Guantanamo*, 2010

²¹⁰ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development* (A/HRC/13/42), 2010, p.44

²¹¹ Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, *Counter Terrorism, Protecting Human Rights*, 2007, p. 148

entitled to prisoners of war, would apply.²¹² On the other hand, if the detainees at Guantanamo Bay were recognized as criminals, they would be entitled to the standard due process rights granted by the United States government²¹³ In addition to this controversy over the unique status of the prisoners, the U.S. government has also argued that the prisoners in Guantanamo Bay should be tried in military tribunals since domestic laws and courts do not have the ability to address these situations.²¹⁴ There are a few key differences between military tribunals and civilian courts, such as the lack of requirement for unanimous convictions, lack of guaranteed right of appeal for defendants, and the fact that the tribunals can be held in secret.²¹⁵ However, it must be noted that under the United States Department of Defense guidelines that govern military tribunals, defendants have a right to a lawyer and to know the charges against them.²¹⁶ In addition, the right to a fair and public trial by an independent tribunal is granted to all under Article 10 of the Universal Declaration of Human Rights and other international human rights conventions.²¹⁷

Yet, when lawyers for certain individuals detained at Guantanamo Bay filed petitions asking U.S. federal courts to assert jurisdiction over their cases to ensure that they received an independent tribunal, the courts responded that U.S. courts have no jurisdiction over non-US citizens in Guantanamo because the military base is on Cuban soil and not under US sovereignty.²¹⁸ For this reason, some have called Guantanamo Bay the “legal equivalent of an unnamed and officially unacknowledged compound.”²¹⁹ In this respect Guantanamo Bay operates outside the reach of the United States Constitution, domestic courts and consequently outside of the protection provided by the Geneva Conventions, and international human rights law.²²⁰ In light of this, it can be argued, that the United States seeks to limit the applicable legal framework of international humanitarian law, and exclude any applications of human rights law, to their actions towards detainees.²²¹

Conclusion

It has been proposed that counter-terrorism measures have continued to violate human rights in many countries since many of the measures adopted by States to counter terrorism have posed challenges to the protection of human rights and the rule of law.²²² Some States have engaged in torture and ill-treatment, while other States have returned persons suspected of engaging in terrorist activities to countries where they face a risk of being tortured or other human rights abuse.²²³ Respect for human rights and the rule of law must be included in the global fight against terrorism.²²⁴ With these thoughts in mind, how do we consistently ensure and protect human rights when counter-terrorism measures are in conflict with international norms? How might the international community ensure transparency in situations where elaborate rules have been put in place to authorize “enhanced” techniques that violate international standards of human rights and humanitarian law? In cases where secret detention has been used

²¹² Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice*, 2006, p. 6

²¹³ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p. 9

²¹⁴ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p. 4, 57

²¹⁵ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p. 11, 19-28

²¹⁶ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p. 20

²¹⁷ United Nations General Assembly, *Universal Declaration of Human Rights*, 1948

²¹⁸ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p.6

²¹⁹ United Nations General Assembly, *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development*. (A/HRC/13/42), 2010 p. 56

²²⁰ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p.6

²²¹ Elsea, *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice* 2006, p.6-7

²²² Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, *Counter Terrorism, Protecting Human Rights*, 2007, p.82

²²³ Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, *Counter Terrorism, Protecting Human Rights*, 2007, p.114-115

²²⁴ Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights, *Counter Terrorism, Protecting Human Rights*, 2007, p 15, 22

or is being used as a kind of defense /shield to avoid scrutiny and control, how can the international community enforce human rights standards that govern treatment and conditions during detention?

Annotated Bibliography

Committee history of the General Assembly Third Committee

Fasulo, L. (2004). *An Insider's Guide to the UN*. New Haven, Connecticut: Yale University Press.
This book takes a very detailed look at the inner working of the UN and also looks at the general day-to-day functioning of the UN and its various organs. The author also examines various subject areas brought before the UN. Fasulo's book will help delegates understand how the UN works in a practical manner.

Karns, M. and Mingst, K. (2004). *International Organizations: The Politics and Processes of Global Governance*. Boulder, Colorado: Lynne Rienner.
Karns and Mingst provide a comprehensive look at the international system and the variety of organizations that are part of international governance. This text looks at the various actors within global governance, including the UN, regional actors, non-state actors, and states. It also examines the need for global governance and uses a variety of case studies to illustrate the need.

Peterson, M. (2006). *The UN General Assembly*. London and New York: Routledge.
Peterson's book discusses the role of the General Assembly in global politics and how the GA has changed global politics by providing a forum for discussion of international issues. Issues addressed include the development of the GA, its processes and relationship to the rest of the UN system, and criticisms of the body. This book provides the necessary foundation for any research into the UN system, its bodies, and organs.

United Nations General Assembly. (1945). *Charter of the United Nations*. San Francisco, California.
The Charter of the United Nations is the starting point for research about the United Nations. The Charter is the constitutional document that gives the UN its authority to act. Mandates and scopes for UN committees are found in the Charter. The Charter provided the basic information on the UN's ability to act on issues before the 3rd Committee.

United Nations General Assembly. *Social, Humanitarian & Cultural: Third Committee*. (N.D.) Retrieved on August 14, 2010 from <http://www.un.org/ga/third/index.shtml>
The home page for the Third Committee of the General Assembly is a basic starting point for research related to the committee. It contains basic facts about the committee and its leadership. The site also links to documents produced by the committee, such as its agenda and draft resolutions. This site should be checked regularly for important updates.

United Nations. (2000). *Basic Facts About the United Nations*. New York, NY: United Nations.
This text is an essential starting point for research on the United Nations, its operations, and its bodies. The book covers the structure and role of the different organs and committees and provides an overview of the day-to-day functioning of the United Nations.

United Nations. (2010). *Functions and Powers of the General Assembly*. Retrieved on August 3, 2010 from <http://www.un.org/ga/about/background.shtml>
This webpage provides basic information on the General Assembly. Outlined on the webpage are the organs' functions and powers. Also included is a discussion of the multilateral forum and the search for consensus.

United Nations. (2010). *Main Committees*. Retrieved on August 3, 2010 from <http://www.un.org/ga/maincommittees.shtml>
The Main Committees' webpage of the General Assembly website discusses the role of each of the six main committees and the topic areas discussed. The page also links to the webpage for each

individual committee. This page also contains a link for the General Committee which meets regularly to review the progress of the GA.

United Nations. (2010). *Third Committee*. Retrieved on August 3, 2010 from <http://www.un.org/ga/third/index.shtml>

Providing a broad overview of the work of the Third Committee, this webpage includes topics discussed and its current leadership. Additionally, this webpage links to various sources which are necessary for delegate preparation, including documents and press releases from the committee. Documents that can be found include the committee agenda and draft proposals considered by the body. Press releases on the site discuss actions taken by the body. Delegates can also review proposals passed by the body from 1998 onward.

I. Human rights, cultural integrity, and diversity

Afkhami, M. (n.d.). *Gender Apartheid, Cultural Relativism and Women's Human Rights in Muslim Societies*. Learning Partnership. Retrieved September 8, 2010 from http://www.learningpartnership.org/mafkhami/wp-content/uploads/gender-apartheid-cultural-relativism_mahnaz-afkhani.pdf

Afkhami's article is a scholarly piece related to cultural differences and how they may affect women's rights. His basic argument is that traditional norms in some societies have obstructed the realization of gender equality, and that gender equality cannot fully be achieved without combating these cultural differences. His point is that this reconciliation can be challenging in an increasingly global world. The case study that he presents in particular is gender equality in Muslim societies.

Amnesty International. (December 2009). *Canada, The Human Rights of Indigenous Peoples: Overview*, Amnesty International. Retrieved September 8, 2010 from http://www.amnesty.ca/themes/indigenous_overview.php

This resource is a link that delegates may use as a case study regarding discrimination toward indigenous people. This article, published by Amnesty International: Canada, outlines how cultural differences between modern societies and indigenous populations living within a relatively small body of land can result in tension, colonization, and the oppression of indigenous people. Although the site is specific to Canadian indigenous issues, delegates may find Canada's experiences in dealing with the clash between its modern societies and its indigenous populations transferable to other similar situations.

Avni, B. (27 April 2007). *Saudi Arabia Claims Progress on Gender Equality*. Retrieved September 8, 2010 from <http://www.nysun.com/foreign/saudi-arabia-claims-progress-on-gender-equality/53352/>

This story was written to cite a particular political endorsement made by Saudi Arabian political officials regarding the rights of women within Saudi Arabia. It is used within the background guide to illuminate disparities between countries regarding the role of women and illustrate the tension between cultural norms and universal human rights. Delegates may use this as one example of the presence of those political disparities and cultural differences.

Ayton-Shenker, D. (March 1995). *The Challenge of Human Rights and Cultural Diversity*. United Nations Background Note. Retrieved September 8, 2010 from <http://www.un.org/rights/dpi1627e.htm>

This site forms the basis of the central question posed by this topic: How can universal human rights and enforcement of those rights exist in a culturally diverse world? The site offers delegates a strong foundation from which to approach the remainder of the topics. It includes mention of a few of the thematic issues later discussed in the background guide, though not extensively.

Burke, J. (9 March 2010). *Indian parliament approves plan for women's quota*. The Guardian. Retrieved September 8, 2010 from <http://www.guardian.co.uk/world/2010/mar/09/india-parliament-approves-female-quota>

This source describes recent efforts that India has made for strengthened gender equality in government. Particularly, the story details a vote reserving one-third of parliamentary seats for

females. The story is used within the background guide as an example for delegates to consult regarding governmental attempts that have been made for better female inclusion in politics.

Centre for Social Justice. (2007). *Aboriginal Issues: Overview: Struggling to Escape a Legacy of Oppression*. Retrieved September 8, 2010 from <http://www.socialjustice.org/index.php?page=aboriginal-issues>

This source outlines some of the specific injustices experienced by today's Aboriginal peoples. The website mentions the history of colonialism and the imposition of foreign government as a locus for wider oppression of aboriginal peoples' access to human rights, and goes on to explain some of the effects of these initial acts of colonialism. It is used within the "indigenous peoples" section of the background guide in order to inform delegates of some of the specific injustices faced by these populations.

Gays Without Borders. (2009). *66 Countries Back UN Statement for LGBT Human Rights*. Retrieved October 16, 2010 from <http://gayswithoutborders.wordpress.com/2008/12/19/66-countries-back-un-statement-for-lgbt-human-rights-by-peter-tatchell/>

This site is a recently published article documenting some of the advances the UN has made toward including LGBT rights in UN discussions. The article mentions a key document toward the advancement of LGBT rights. Delegates may use this as a preliminary source of information for UN affairs as they relate to the advancement of LGBT rights.

Handicap International. (2009). *US Signs UN Treaty on Rights of Persons with Disabilities*. Retrieved October 15, 2010 from [http://www.handicap-international.us/in-the-us/in-brief/?dechi_actus\[id\]=66&cHash=f29fc4240d](http://www.handicap-international.us/in-the-us/in-brief/?dechi_actus[id]=66&cHash=f29fc4240d)

The article expounds on the US's decision to sign a UN Treaty supporting the rights of persons with disabilities. More generally, the article describes recent moves toward including handicapped people as a major marginalized minority. Delegates can use this source as an elementary source for learning about the UN's involvement in ensuring human rights for handicapped minorities.

Hill, J. (2000). *Becoming a Cosmopolitan*. Rowman & Littlefield Publishers.

Hill's book delivers an overview on his purported advantages to cosmopolitanism. In doing so, he explores the cosmopolitan camp but also discusses communitarianism. The source is briefly used to discuss a political theorist's definition of the two camps, and is used within the background guide to frame the clash between cultural diversity and universal human rights.

Human Rights Library. (2003). *The Rights of Indigenous Peoples*. University of Michigan Human Rights Center. Retrieved September 8, 2010 from <http://www1.umn.edu/humanrts/edumat/studyguides/indigenous.html>

The Human Rights Library is a compilation by the University of Michigan Human Rights Center of several key documents related to universal human rights as established by conventions and bodies of the United Nations. This link in particular is a description of rights for indigenous people as established by the United Nations. The link is a good springboard for further research in human rights issues.

Human Rights Web. (n.d.) *A Summary of United Nations Agreements on Human Rights*. Retrieved October 15, 2010 from <http://www.hrweb.org/legal/undocs.html>

This site is a general site – not specific to any of the themes of this background guide – that offers a multitude of resources on all human rights issues discussed by the UN. It is a hub that includes hyperlinks to several different issue areas and lists out UN human rights documents. Delegates should use this site as an introductory source and to learn about specific documents to supplement their research.

Office of the High Commissioner for Human Rights. (2010). *Universal Declaration of Human Rights*. Retrieved September 8, 2010 from <http://www.ohchr.org/en/udhr/pages/introduction.aspx>

This link is a full-text version of the Universal Declaration of Human Rights, perhaps the UN's most influential document related to the promotion and preservation of human rights. The document includes an exhaustive list of human rights to be noted as basic necessities that all human beings are entitled to. Additionally, the site links to a series of other human rights

resources that delegates may utilize to explore particular sensitive issues in human rights generically; and also how they may conflict with tradition and/or cultural norms particularly.

Office of the Special Adviser on the Prevention of Genocide. (2009). *Genocide: What is Genocide*. Retrieved October 15, 2010 from <http://www.un.org/preventgenocide/adviser/genocide.shtml>

The Office of the Special Adviser on the Prevention of Genocide contains a comprehensive list spelling out the origins of genocide (cultural and/ethnic incongruities, etc.); contains statistics of previously executed acts of genocide and crimes against humanity; provides brief histories of major historic genocidal events (i.e. Rwanda); and lists the duties of the Special Adviser. Further, it offers an explanation of how the execution of genocide is akin to a crime against humanity, and how genocide is detrimental to human rights. It also contains a series of links to other UN bodies and efforts aimed toward halting genocide.

Nersessian, D. (2005). *Rethinking Cultural Genocide Under International Law*. Human Rights Dialogue: "Cultural Rights." Retrieved September 8, 2010 from http://www.cceia.org/resources/publications/dialogue/2_12/section_1/5139.html

Nersessian's scholarly article contends that genocide is divided between eight pillars, each of which targets an aspect of a particular group's existence. One of the most important pillars, he explains, is the pillar of culture. The article explains cultural genocide as the destruction of institutions that transcend physical damage, and analyzes how international law counters these threats to human rights and to culturally different populations.

Survival International. (2010). *Tribes & campaigns*. Retrieved October 4, 2010 from <http://www.survivalinternational.org/tribes>

The "Tribes and Campaigns" section of the Survival International site serves as a database compiling many of the world's disadvantaged indigenous populations. Information listed includes country of origin, a historical background of the situation and what the state has and/or has not done, and how many people are being affected by the situation. Delegates may use this site as a resource to collect specific examples of indigenous populations being affected all over the world, including within the country that they are representing at conference.

UNICEF. (17 June 2010). *Gender Equality: An Introduction*. United Nations. Retrieved September 8, 2010 from <http://www.unicef.org/gender/index.html>

This particular link, as well as subsidiary links attached to this introduction on gender equality, includes an explanation of UNICEF's role in preventing gender-based violence. It includes links to the latest press releases related to gender-based violence, its incidence, and new measures being taken to prevent it; statistics on gender-based violence and gender equality; and specific measures that UNICEF has taken. It also links to several other UN-backed initiatives promoting gender equality, including UNIFEM and the UNiTE Campaign.

United Nations. (January 1997). *Charter of the United Nations*. Human Rights Web. Retrieved September 8, 2010 from <http://www.hrweb.org/legal/unchartr.html>

Moderately used throughout the background guide, this is a link to a full version of the Charter of the United Nations. Though a broader document than the Universal Declaration of Human Rights, the Charter includes references to rights to shelter, food, education, basic wages and universal living standards. Delegates may use the source to gain knowledge of a specific list of rights guaranteed by the Charter.

United Nations. (January 1997). *Convention on the Elimination of All Forms of Discrimination against Women*. Human Rights Web. Retrieved September 8, 2010 from <http://www.hrweb.org/legal/cdw.html>

This site is a full-text version of the Convention on the Elimination of All Forms of Discrimination against Women. It outlines universal, anti-discriminatory principles promoting the elimination of gender-based violence and the promotion of human rights for women and the Millennium Development Goal that promotes gender equality and the empowerment of women. This full-text document is attached to the larger Human Rights Web, which outlines a number of other important documents and conventions related to human rights issues.

United Nations Development Fund for Women. (2010). *Home Page*. United Nations. Retrieved September 8, 2010 from <http://www.unifem.org/>

This is the homepage of UNIFEM, an organization that spearheads several strategies to promote a number of issues related to women and the roles they play in their households, cultures, communities, and in government. As such, the organization combats discrimination toward women in their capacities as individuals and employees; works with other UN bodies to overhaul gender-based violence; and promotes public awareness of these and other issues related to female empowerment. Delegates may utilize this site as a valuable resource to explore press releases, statements, important documents, and thematic issues.

UN Enable. (2004). Human Rights and Disabled Persons. Retrieved October 15, 2010 from <http://www.un.org/esa/socdev/enable/dispaperdes0.htm>

This site is a comprehensive overview of UN efforts concerning the advancement of rights of disabled minorities. Though dated, the site includes a good history of the debate and discussions that have since occurred. It includes definitions, debates, and documents that delegates can use to further their research on this topic.

UN Permanent Forum on Indigenous Issues. (2006). *About UNPFII and a brief history of indigenous peoples and the international system*. United Nations. Retrieved September 8, 2010 from <http://www.un.org/esa/socdev/unpfii/en/history.html>

The oldest forum on the discussion of indigenous issues, the UNPFII website provides a number of resources delegates may use to explore historic issues in indigenous peoples and their rights, past instances of discrimination and colonization, and initiatives that the international community has since devised to better protect the human rights of these endangered peoples. Delegates should use this site to learn about indigenous issues, as well as a springboard toward further research into indigenous peoples and indigenous peoples' human rights. The site also includes a hub from which delegates can select specific resolutions that have been passed in historic General Assembly sessions that are related to the promotion of indigenous peoples' human rights.

United Nations Inter-Agency Network on Women and Gender Equality. (2010). *Directory of UN Resources on Gender and Women's Issues*. Women Watch. Retrieved September 8, 2010 from http://www.un.org/womenwatch/directory/human_rights_of_women_3009.htm

This site serves as a database or directory that delegates can use to learn about specific thematic issues related to the empowerment of women, including women in the military, women in education, women in their households, women in their cultures, and women in employment. Delegates can select a specific issue to learn more about that particular issue, and then select from a number of exterior links to find documents related to that particular issue area.

United Nations Secretary-General's Campaign UNiTE to End Violence against Women. (2011). *About UNiTE*. United Nations. Retrieved September 8, 2010 from <http://www.un.org/en/women/endviolence/about.shtml>

This is the homepage for Secretary-General Ban Ki-moon's initiative to end violence against women. It is thus a website that speaks only briefly to female empowerment generally, but more specifically visits the issue of ending gender-based violence and eliminating discrimination and violence toward women. The site is a good resource for collecting quotations and specific documents relating exclusively to ending gender-based violence. The site also lists specific, time-lined objectives the Campaign has established for itself.

United Nations Treaty Collection. (2010). *Convention on the Prevention and Punishment of the Crime of Genocide*. United Nations. Retrieved September 8, 2010 from http://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-1&chapter=4&lang=en

Quite possibly one of the best resources for looking up specific UN treaties, this link is used in the background guide to provide a scanned, full-text version of the Convention on the Prevention and Punishment of the Crime of Genocide. It outlines specific obligations that Member States agree to embrace as signatories to the document, as well as definitions for what constitutes genocide and how genocide is an obstruction to human rights. Delegates are also encouraged to use the site to

explore other documents related to this and other thematic issues falling under the rubric of the tension between human rights and cultural integrity/diversity.

Uyghur Human Rights Project. (n.d.). *Religious Persecution*. Amnesty International. Retrieved September 8, 2010 from <http://uhrp.org/categories/Issues/Religious-Persecution/>

This site provides insight into some of the specific abuses that the Uyghur population of East Turkistan is experiencing. It is used to illustrate the clash between modern society and traditional cultures both occupying a modern state. Delegates may use this resource as a specific example of human rights abuses being levied against particular indigenous populations.

II. Promoting alternative development strategies to combat the world drug trade

Berg, Christoph. (2003). *The 'alternative development' concept- potentials, successes and limits*. Deutsche Gesellschaft für Technische Zusammenarbeit, Eschborn. Retrieved September 14, 2010 from <http://www.gtz.de/de/dokumente/en-berg-02.pdf>

The paper discusses the problems associated with production, trafficking and consumption of illicit drugs and the major obstacles to the cooperation of partner/donor countries. It also makes recommendations to what states can do when working with alternative development to address the political problems associated with drug trade.

Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. (1988). Retrieved August 20, 2010 from http://www.unodc.org/pdf/convention_1988_en.pdf

The convention enhances international cooperation against drug trafficking especially to strengthen measures against drug trafficking, including measures trace, freeze and confiscate assets originating from illicit drugs. The convention also provides for cooperation through other legal mechanisms like the extradition of drug traffickers. The convention also addresses regulations for precursor chemicals.

Convention on Psychotropic Substances. (1971). Retrieved August 20, 2010 from http://www.unodc.org/pdf/convention_1971_en.pdf

The Convention of Psychotropic Substances is designed to control psychoactive drugs through import and export restrictions and other rules related to scientific or medical use. This has importance especially related to the restrictions on opium poppy and its derivatives. The convention also sets a matrix for controlled substances as scheduled drugs detailing a range of most to least restrictive.

International Narcotics Control Board. (2005). *Report of the International Narcotics Control Board for 2005*. Retrieved September 7, 2010 from http://www.incb.org/pdf/e/ar/2005/incb_report_2005_full.pdf

This major report also published through the United Nations is of particular importance to connecting AD challenges and the future direction of alternative development. It indicates that there must also be solutions designed and coordinated between the supply side and demand side of illicit drugs. It claims that if a more comprehensive approach is to be considered, the larger scope of poverty needs to be addressed.

Single Convention on Narcotic Drugs. (1961). Retrieved August 20, 2010 from http://www.unodc.org/pdf/convention_1961_en.pdf

This convention is designed to prohibit the production and supply of specific narcotic drugs. The single convention consolidates prior treaties and broadens the scope to include cannabis and similar drugs. Under the treaty, the International Narcotic Control Board was charged to administer monitoring and the United Nations Office on Drugs and Crime was charged to monitor country situations and drug related programming.

New York Times. (September 16, 2007). *No Blowing Smoke: Poppies Fade in Southeast Asia*. Retrieved September 8, 2010 from: <http://www.nytimes.com/2007/09/16/weekinreview/16fuller.html>

The article by the New York Times discusses the geopolitical circumstances of opiate production in the Golden Triangle. It also alludes to the relationship between the decline of the Golden Triangle and the rise of the "Golden Crescent," or the opiate production in and around Afghanistan.

United Nations. Economic and Social Council. (July 27, 2006). *Support for the National Drug Control Strategy of the Government of Afghanistan (E/RES/2006/32)*. Retrieved August 20, 2010 from <http://www.un.org/docs/ecosoc/documents/2006/resolutions/Resolution%202006-32.pdf>

The ECOSOC resolution recognizes that drug cultivation is linked with security issues, development and sustainable governance. Particularly in the case of Afghanistan, it recognizes that multilateral support is necessary to aid anti-narcotic approaches. In the case of Afghanistan, international security is highly correlated with the drug production, so the treaty calls for greater support of Afghanistan's neighbors and international aid to address the issue of narcotics and trade.

United Nations. General Assembly. 20th Special Session. (June 10, 1998). *Political Declaration of the Special Session of the General Assembly on International Drug Control (A/RES/S-20/2)*. Retrieved August 20, 2010 from <http://www.un.org/ga/20special/poldecla.htm>

The special session was held to recognize the international communities' concern of the world drug problem and to consolidate political cooperation. The Declaration recognizes that the issue must be addressed while respecting the internal policies of a respective member state and to provide resources that include anti production techniques, treatment and rehabilitation, all done with an approach of cooperation.

United Nations. Office on Drugs and Crime. (2010). *UNODC and Alternative Development*. Retrieved August 20, 2010 from <http://www.unodc.org/unodc/en/alternative-development/index.html>

The Web site of the UNODC provides much information on alternative development, the mandate of the UNODC as well as links to relevant publications. Delegates should be well versed with the topics and work that the UNODC has done in the field. Delegates will particularly benefit from studying the currently six country programs where the UNODC is conducting alternative development.

United Nations. Office on Drugs and Crime. (2010). *UNODC Making a Difference Through Alternative Development*. Retrieved August 20, 2010 from <http://www.unodc.org/unodc/en/alternative-development/making-a-difference-through-alternative-development.html>

This important webpage of the UNODC provides insight into the linkages between drugs, crime and other relevant international issues. Many important documents are included in the site, including links to human development reports, crop eradication stories, as well as how alternative development can be sustainable in various communities. The Web site also indicates certain challenges of alternative development and cross-cutting issues.

United Nations. Office on Drugs and Crime. 20th Special Session. (1998). *Action Plan on the International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (A/RES/S-20/4)*. Retrieved August 20, 2010 from <http://www.unodc.org/documents/alternative-development/UNGASSActionPlanAD.pdf>

The Action Plan corresponds to the Political Declaration of the General Assembly Special Session and expands on the method of alternative development, drug control and related strategies to eradicate illicit trade and control usage. The theory of alternative development as approached by the United Nations is included with the facets that must be addressed in order to have an efficient and effective strategy.

United Nations. Office on Drugs and Crime. (March, 2005). *Alternative Development. A Thematic Evaluation*. Retrieved August 20, 2010, from http://www.unodc.org/pdf/Alternative_Development_Evaluation_Dec-05.pdf

The report is a synthesis of the alternative development projects in South-East Asia and Latin America. It is pursuant to the Commission on Narcotic Drug resolution 45/14 to facilitate a programming evaluation to help determine practices that are effective and produce better alternative development approaches. The report emphasizes the socio-cultural, economic, political and environmental factors to better formulate expectations, indicators and goals.

United Nations. Secretariat. (2004). *Organization of the United Nations Office on Drugs and Crime (ST/SGB/2004/6)*. Retrieved August 20, 2010 from http://www.unodc.org/documents/treaties/organized_crime/Drug%20Convention/Commentary_on_the_united_nations_convention_1988_E.pdf

This document is a commentary on the 1988 Convention on Psychotropic Substances and gives a full summary of the associated problems of modern drug control and updates on the conventions that preceded the 1988 convention.

United Nations. Office on Drugs and Crime. (2010). *About the UNODC*. Retrieved from: <http://www.unodc.org/unodc/en/about-unodc/index.html>

This Web site gives a brief background about the UNODC, mandate and relevant issues associated with a multilateral approach to controlling drugs and crime. It also indicates the three pillars of the agency and makes links with cross-cutting issues the organization is currently elaborating.

United Nations. Office on Drugs and Crime. (2007). *2007 World Drug Report*. Vienna. Retrieved August 20, 2010 from http://www.unodc.org/unodc/en/world_drug_report.html

The World Drug Report 2007 provides an overview on the global drug situation, identifies positive and negative developments and contains a comprehensive statistical database. Its general message is a containment of the market for illicit drugs with considerable variation.

United Nations. Secretariat. (March 15, 2007). *Organization of the United Nations Office on Drugs and Crime (ST/SGB/2004/6)*. Retrieved August 3, 2007 from http://www.unodc.org/pdf/sgb_2004_6_unodc.pdf

The document outlines the purpose and functions of the UN Office on Drugs and Crime, its relationship to other UN bodies and its internal organization. It is important for delegates to understand the powers that can and cannot be undertaken by bodies such as the UNODC while discussing the topic.

United Nations. General Assembly. 61st Session. (March 30, 2010). *International Cooperation Against the World Drug Problem (A/RES/64/182)*. Retrieved August 20, 2010 from <http://www.un.org/Depts/dhl/resguide/r61.htm>

The most recent resolution by the General Assembly on international drug control reaffirms the call upon all Member States to strive to achieve the goals set out in the General Assembly's 1998 Political Declaration. It further underlines the need for the integration of measures reducing the supply and the demand for illicit drugs, such as alternative development, international cooperation in law enforcement, the prevention of the laundering of proceeds and early intervention against drug abuse.

United Nations. Office on Drugs and Crime. (2002). *Alternative Development: A Global Thematic Evaluation - Final Synthesis Report*. Vienna. Retrieved August 20, 2010 from http://www.unodc.org/documents/alternative-development/05-82516_Ebook.pdf

This synthesis report contains stories from the field and lessons learned from alternative development implementation programs. It focuses on important case studies in Latin America, South-East Asia and highlights important policy lessons that should be incorporated in future project planning.

United Nations. Office for Drug Control and Crime Prevention. (2000). *Global Illicit Drug Trends 2000*. Retrieved August 21, 2010 from http://www.unodc.org/pdf/report_2000-09-21_1.pdf

Though report is a primary source for background information on alternative development. It is the report resulting from the 1998 Special Session of the General Assembly and it also seeks to correlate drug abuse with illicit crop production. The goal of the report was to contribute to drug assessments through addressing supply and demand statistics and analysis on the illicit drug problem.

United Nations. Office on Drugs and Crime. (2010). *Sustainable Livelihoods: A Broader Vision*. Retrieved August 21, 2010 from http://www.unodc.org/documents/alternative-development/SL%20Paper/FINAL_VERSION_JUNE_8_2010.pdf

The concept of sustainable livelihoods is used in field work of alternative development to address drug use, dependence and drug related diseases like AIDS and drug related crime. Looking at the problems of drug trade through the lense of poverty is a major strategic approach of alternative development and this report adds to the field of poverty research through the lense of illicit drugs.

United Nations. Office on Drugs and Crime. (2009). *Afghanistan Opium Survey 2009: Summary Findings*. Retrieved August 21, 2010 from http://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan_opium_survey_2009_summary.pdf

This is a landmark survey done by the UNODC that discusses the problems of drugs in Afghanistan. It discusses the economics aspects of the opium markets and the cultivation and production of opiates. There are multiple factsheets that breakdown usage, cultivation, and household distribution of production throughout the country. This is a vital source in understanding the complicated drug economy of Afghanistan.

United States Department of State. (2001). *2000 International Narcotic Control Strategy Report*. Retrieved August 20, 2010 from <http://www.state.gov/p/inl/rls/nrcrpt/2000/940.htm>

The Report by the United States Department of State is a mandated report that provides information on the extent to which a country or entities that receives foreign assistance from the US government and details whether they have meeting the goals and objectives of the 1988 UN Drug Convention. The report details by region and country the progress of states and US initiatives regionally.

North Atlantic Treaty Organization. (2009). *Afghanistan Report 2009*. Retrieved August 21, 2010 from http://www.isaf.nato.int/pdf/20090331_090331_afghanistan_report_2009.pdf

The report focuses on the NATO role and how the organization is involved, directly and in a supporting role to aid in the security, governance and development of Afghanistan. It also places emphasis on the broader scope of the problems of Afghanistan and the progress made and areas that need focus. It also addresses the international security correlation associated with illicit drug trade.

United Nations Development Programme. (2007). *Tackling Corruption, Transforming Lives: Accelerating Human Development in Asia and the Pacific*. Retrieved October 22, 2010 from <http://www.scribd.com/doc/7798320/RHDR-Full-Report-Tackling-Corruption-Transforming-Lives>

The report focuses on the Asia-Pacific region and how governments are dealing with corruption. It also identifies the poor as main beneficiaries of anti-corruption and how it strategies need to be both bottom up and top to bottom, vice versa. Corruption has been identified as a major obstacle to the success of alterative development strategies.

United Nations. Office on Drugs and Crime. (2008). *Sustaining Opium Reduction in Southeast Asia: Sharing Experiences on Alternative Development and Beyond*. Retrieved August 21, 2010 from http://www.unodc.org/documents/alternative-development/Sustaining_Opium_Reduction_in_South_East_Asia.pdf

The report of the UNODC focuses on Southeast Asia and includes statistical information on illicit drug related statistics. It is a vital resource into the implementation and current prospects of alternative development in the region. It also provides good information from statistical data on opiate reduction and also successes in context of the international drug market.

III. Protection of human rights and fundamental freedoms while countering terrorism

Andreychuk, R. (2003). *Case Study: Canada Anti-Terrorism Legislation*. Retrieved on August 16, 2010 from <http://www.humanrightsinitiative.org/new/papers/andreychuk.pdf>

In 2003, a two-day seminar on anti-terror legislation was held to examine and address the impact of anti-terror laws on human rights. Based on this seminar, an ongoing case study to analyze Canadian policy with respect to the others in attendance was initiated. Moreover, the results of this case study brought to light many questions surrounding counter-terrorism policies and their effect on human rights.

Annan, K. (2005). *Secretary-General Offers Global Strategy for Fighting Terrorism, in Address to Madrid Summit (SG/SM/9757)*. Retrieved on August 16, 2010 from <http://www.un.org/News/Press/docs/2005/sgsm9757.doc.htm>

This is Secretary-General Kofi Annan's 2005 keynote address given at the closing plenary of the International Summit on Democracy, Terrorism and Security held in Madrid, Spain. In this address, the work of the High-level Panel is recognized while noting the importance of overcoming the challenges put forth in the "A More Secure World -- Our Shared Responsibility" report. The speech also identifies, promotes and outlines a comprehensive strategy to fight terrorism with a special emphasis being placed on protecting human rights.

Bascombe, D. (2003). *Report Commonwealth Human Rights Initiative Seminar on Anti Terror Legislation in the Commonwealth*. Retrieved on November 6, 2010 from

http://www.humanrightsinitiative.org/new/conference_report.pdf

On June 5th and 6th, the Commonwealth Human Rights Initiative hosted a two day seminar on Anti terror Legislation to examine the impact of anti terror laws on human rights. The seminar brought together representatives from the various regions of the Commonwealth and one of the results of their work was this report. This report presents an overview of the contributions from the seminar participants, and highlights some of the issues that were debated and discusses some of the future plans of action.

BBC News. (2010). *Q&A: Closing Guantanamo*. Retrieved on November 26, 2010 from

<http://www.bbc.co.uk/news/world-us-canada-11623753>.

This source details some of the current complications surrounding United States President Barack Obama's initiative to close the controversial military prison in Guantanamo Bay. It is important to note that a key complication is that there is no plan for where the prisoners from Guantanamo Bay would go, if it were to be closed.

Elsa, J. (2006). *The Department of Defense Rules for Military Commissions: Analysis of Procedural Rules and Comparison with Proposed Legislation and the Uniform Code of Military Justice*. Retrieved on November 6, 2010 from

<http://www.fas.org/sfp/crs/natsec/RL31600.pdf>

This report provides some background and analysis of comparing military commissions as described by Military Commission Order No. 1. It also discusses relevant United States legislation that deals with detention and Prisoners of War. This report also discusses the regulations issued by the Department of Defense for general courts-martial and proposed legislation.

Foot, R. (2007). *United Nations, Counter Terrorism, and Human Rights: Institutional Adaptation and Embedded Ideas*. *Human Rights Quarterly*, 29.2, 489-514.

How resilient is the human rights norm in the counter-terrorist era? This question is explored through examining the record of two of the UN Security Council's counter-terrorist committees. The article argues that, initially, the procedures of these two committees damaged human rights protections, an outcome criticized by UN officials, human rights NGOs, and certain, mainly middle-power, states. Using the UN as a platform, they made the argument that a failure to ensure that anti-terrorist measures were in accordance with human rights standards would be counter-productive. As a result, Committee procedures have evolved and now give greater attention to the human rights consequences of counter-terrorist action.

GlobalSecurity. (2009). *Guantanamo Bay Detainees*, Retrieved on November 6, 2010 from

http://www.globalsecurity.org/military/facility/guantanamo-bay_detainees.htm

Global Security is a source for background information on developing news stories on defense, space, intelligence, and homeland security. The site was launched in 2000, and provides comprehensive and information. The article written here provides some detailed information on detainees and gives an account of the transfers to and from the facility.

Hoffman, P. (2004). *Human Rights and Terrorism*. *Human Rights Quarterly*, 26.4, 932-955. Retrieved on August 14, 2010 from Project Muse

This article takes a critical look at how governments have prosecuted the "war on terror" and argues that abandoning human rights in times of crisis is unnecessary and self-defeating. The author contends that international standards of human rights are more than adequate for times of crisis and that the choice

between security and human rights is a false one. The author concludes that the only way to effectively respond to terrorism is to restore the human rights framework.

Human Rights Education Associates (HREA). *The United Nations Human Rights System*, Retrieved November 6, 2010 from http://www.hrea.org/index.php?doc_id=437

HREA is an international non-governmental organization that supports human rights education, the training of activists and professionals and community-building through on-line technologies. HREA is dedicated to quality education and training to promote understanding, attitudes and actions to protect human rights, and to foster the development of communities. HREA works with individuals, non-governmental organizations, inter-governmental organizations and governments interested in implementing human rights education programs.

Karns, M., and Mingst, K. (2004). *International Organizations: The Politics and Processes of Global Governance*. Boulder: Lynne Rienner.

This international relations textbook offers delegates an accessible resource on all aspects of global governance, including perspectives on international human rights standards and their origins as well as an overview of the human rights machinery of the United Nations System.

Koufa, K. (2006). "The UN, Human Rights and Counter-terrorism." In *International Cooperation in Counter-terrorism* ed. Guiseppe Nesi. Burlington, Vermont: Ashgate.

This book provides an analysis of global and regional responses to international terrorism. Koufa discusses the role of the United Nations specifically the General Assembly and the Security Council. He also analyzes the work of regional organizations in their quest to combat terrorism. The book concludes with a discussion of whether the fight against terrorism impedes and or contradicts the fundamental rules of international law and human rights.

LaFranchi, H. (2010). Last Year, 10,999 terrorist attacks worldwide - a decline from 2008. *Christian Science Monitor*. Retrieved on August 16, 2010 from <http://www.csmonitor.com/USA/Foreign-Policy/2010/0805/Last-year-10-999-terrorist-attacks-worldwide-a-decline-from-2008>

This article discusses the frequency of international terrorist attacks and notes that it has declined in recent years. However, the article also discusses the concept that Western individuals turning to Islam and how that relates to terrorism. Finally the article also presents information regarding improved counterterrorist coordination by governments.

Organization for Security and Co-operation in Europe Office for Office of Democratic Institutions and Human Rights. (2001). *Background Paper on Extradition and Human Rights in the Context of Counter-terrorism*. Retrieved on November 6, 2010 from http://www.osce.org/documents/odihr/2007/03/23701_en.pdf

The OSCE Ministerial Council held a meeting in December 2001, where participating states pledged to protect human rights along with ensuring the protection of their citizens against terrorism. As a result of this meeting, the commitment of the participants, an analysis of their progress on tackling extradition was produced. This paper presents some of the problems and solutions related to the protection of human rights in the international fight against terrorism.

Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights. (2007). *Counter Terrorism, Protecting Human Rights*. Retrieved on November 6, 2010 from

http://www.osce.org/publications/odihr/2007/11/28294_980_en.pdf

Recognizing the challenge of upholding the Bucharest Plan of Action, this paper reviews the work that has been done by the participants of 2001 meeting. The paper also discusses the assistance given to participants and how they have applied it. This paper can also be used to review fundamental human rights standards and the potential conflicts with counter terrorism efforts that exist.

United Nations Association of the USA. (2009). *A Global Agenda: Issues Before the United Nations 2009-2010*. New York: UNA-USA.

This book incorporates the work of journalists, policy experts, and scholars describing major issues that concern the United Nations. It also provides information on the various author's specific preferred policy approaches and solutions to these issues. The 53 writings cover items such as maintaining international

security, peace, environmental protection, humanitarian assistance, economics, human rights and the Millennium Development Goals.

United Nations General Assembly. (2001). *16th Plenary Meeting. (A/56/PV.16)*, Retrieved on November 6, 2010 from <http://www.un.org/spanish/aboutun/organs/ga/56/verbatim/a56pv16.pdf>

This document contains the text of speeches delivered on agenda item 166 Measures to eliminate international terrorism. The speeches discuss the commitment to work together as an international community to eradicate forever terrorism. The speeches also reflect the role of The United Nations, which is seen as the forum in which States can cooperate with each other in the global fight to eradicate terrorism.

United Nations. (1945). *Charter of the United Nations*. Retrieved on November 6, 2010 from <http://www.un.org/en/documents/charter/index.shtml>

On June 26, 1945 the Charter of the United Nations was signed. This document states the purpose of the United Nations and clearly outlines the role and precedence human rights in international policy making. This document is a must read in order to understand the importance of maintaining strict human rights guidelines when drafting counter terrorism policy. Furthermore, this document written post war is significantly relevant to efforts to the present counter terrorism work.

United Nations General Assembly. (2005) *In larger freedom: towards development, security and human rights for all Report of the Secretary-General (A/59/2005)*, Retrieved on November 6, 2010 from <http://www.un.org/Docs/journal/asp/ws.asp?m=A/59/2005>

The report is divided into four main sections; it discusses the implementation of the bargain Millennium Development Goals by 2015. It also takes into account the resources needed to complete that strategy, as well as suggestions to improve governance, uphold the rule of law and combat corruption.

United Nations General Assembly. (1966). *International Covenant on Civil and Political Rights (A/RES/2200A XXI)*. Retrieved on August 2, 2010 from <http://www2.ohchr.org/english/law/ccpr.htm>

The ICCPR came into force in 1976 and commits members to uphold certain civil and political rights such as right to life, freedom of religion, assembly and speech, and rights to due process and a fair trial. These rights have been commonly violated by national governments in combating terrorism.

United Nations General Assembly. (1966). *International Covenant on Economic, Social and Cultural Rights*. Retrieved on November 6, 2010 from <http://www2.ohchr.org/english/law/cescr.htm>

The ICESCR came into force in 1976 and commits members to uphold certain civil and political rights such as right to life, freedom of religion, assembly and speech, and rights to due process and a fair trial. These rights have been commonly violated by national governments in combating terrorism.

United Nations General Assembly. (2010). *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including Rights to Development (A/HRC/13/42)*. Retrieved on November 6, 2010 from <http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A-HRC-13-42.pdf>

The report is outcome of a joint study on global practices of secret detention in relation to counter terrorism techniques. It includes information from the Special Rapporteur on the promotion and protection of human rights while countering terrorism. The report also includes Special Rapporteur information on torture and inhuman treatment. The report also discusses the international legal framework applicable to the use of secret detention.

United Nations General Assembly. (2009). *Protection of human rights and fundamental freedoms while countering terrorism (A/RES/64/168)*. Retrieved on August 2, 2010 from <http://www.un.org/ga/64/resolutions.shtml>

This resolution is the most recent action taken by the General Assembly on the topic of the promotion and protection of human rights while countering terrorism. The first was A/RES/60/158. The resolution lays out the obligation that member states have in protecting human rights while countering terrorism and implores them to uphold certain human rights instruments.

United Nations General Assembly. (2009). *Protecting human rights and fundamental freedoms while countering terrorism: Report of the Secretary-General (A/64/186)*. Retrieved on August 2, 2010 from <http://www2.ohchr.org/english/bodies/GA/64documents.htm>

This Report of the Secretary-General deals specifically with actions taken by the UN System towards the promotion and protection of human rights while countering-terrorism. This report will provide delegates with an overview of the actions being taken by bodies such as the Counter-Terrorism Committee and the Human Rights Council and provides a list of recommendations for further action by the Secretary-General.

United Nations General Assembly, Special Rapporteur on the protection of human rights while countering terrorism. Retrieved on November 26, 2010 from <http://www2.ohchr.org/english/issues/terrorism/rapporteur/srchr.htm>

This site provides access to the regular dialogue and discussions with Governments and United Nations bodies. Along with access to information presented by the Counter-Terrorism Committee of the Security Council. It also provides access to the work being done to identify and promote the best practices on counter terrorism work that highlight a respect human rights and fundamental freedoms.

United Nations (2004). *Report of the High Level Panel on Threats, Challenges and Change*. Retrieved on November 6, 2010 from <http://www.un.org/secureworld/report2.pdf>

The purpose of this report is to discuss how nations can work together fight global terrorism. This report provided vast information on initiatives that have been taken. Based on analysis, this report makes several suggestions for ways to deal with particular threats and suggest new ways of understanding the relationship between them. This report offers a unique opportunity review the work of the United Nations, specifically the Millennium Declaration.

United Nations General Assembly. *Special Procedures of the Human rights Council*. Retrieved on November 6, 2010 from <http://www2.ohchr.org/english/bodies/chr/special/index.htm>

This site provides a general overview of the main activities of the Special Procedures mandates. This information is produced by the Coordination and Management Unit of the Special Procedures Branch of the Human Rights Council and Special Procedures Division of the OHCHR.

United Nations General Assembly. (2000). *Situation of Human Rights in Myanmar (A/55/359)* Retrieved on November 6, 2010 from <http://www.un.org/documents/ga/docs/55/a55359.pdf>

This interim report takes account of the situation as of 31 July 2000 in Myanmar. It discusses the suppression of political rights, freedom of thought, expression, association and movement targeted against the National League for Democracy and other opposition minority groups. The report also identifies areas of concern and Committees and recommendations which remain to be implemented.

United Nations General Assembly. (2006). *United Nations Global Counter-Terrorism Strategy (A/RES/60/288)*. Retrieved on August 2, 2010 from <http://www.un.org/terrorism/strategy-counter-terrorism.shtml>

The Global Counter-Terrorism Strategy was adopted by the General Assembly in September 2006 after a review of a series of proposals submitted by the Secretary-General, and after much discussion by the international community flowing out of the 2005 World Summit. The Global Counter-Terrorism Strategy stresses the vital importance of the protection and promotion of human rights by making that subject is fourth Pillar.

United Nations General Assembly. (2008). *United Nations Global Counter-Terrorism Strategy: Activities of the United Nations System in Implementing the Strategy, Report of the Secretary-General (A/62/898)*. Retrieved on August 2, 2010 from <http://www.un.org/terrorism/sg.shtml>

This report of the Secretary-General is the first Biennial review of the UN Counter-terrorism strategy and was completed in 2008. Discussing each of the four pillars, the Report outlines actions that various UN Bodies and Agencies have undertaken during the reporting period. According to the report, most efforts are aimed at providing technical assistance to member states in order to upgrade national legislation and to enhance the capabilities of law enforcement.

United Nations General Assembly. (2008). *Measures to eliminate international terrorism, (A/63/173)*, Retrieved on November 6, 2010 from http://www.pircenter.org/kosdata/page_doc/p1880_2.pdf

This report was prepared according to the guidelines set forth in paragraph 8 of General Assembly resolutions 50/53 and paragraph 18, and 62/71 which discusses measures to eliminate international terrorism. This report presents information on measures that should be taken at the national and international levels. The report also describes recent developments and reflects upon techniques used to combat crimes connected with international terrorism.

United Nations General Assembly. (1948). *Universal Declaration of Human Rights*. Retrieved on November 6, 2010 from <http://www.un.org/en/documents/udhr/index.shtml>

In December 1948 this document was signed in order to reiterate the importance and need to protect human rights for all, with no regard of social, economic or other classification factor. This document is very important as it sets the foundation from which other human rights standards have been crafted. Specifically, Articles 5-7 address the universal right to fair treatment under the law and the prohibition of torture. Other articles deal with the right to competent tribunals and the prohibition of arbitrary arrest.

United Nations General Assembly. (1993). *Vienna Declaration and Programme of Action (A/CONF.157/23)*. Retrieved on September 13, 2010 from [http://www.unhcr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhcr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en)

This framework asserts the importance and universality of human rights. It also concludes that the promotion and protection of these rights must be the first responsibility of governments and the United Nations. It also discusses the need to implement effective measures to guarantee these rights under occupation and in times of war.

United Nations General Assembly. (2005). *World Summit Outcome, (A/RES/60/1)*, Retrieved on November 6, 2010 from http://unstats.un.org/unsd/mdg/Resources/Attach/Indicators/ares60_1_2005summit_eng.pdf

This resolution acknowledges that the success of global security depends highly on effective cooperation. It also concludes the necessity to strengthen consensus on methods of action within existing international law in the fight against transnational threats. It also affirms that peace and security are the foundation of the United Nations.

United Nations Secretary-General. (2005). *Closing address of the International Summit on Democracy, Terrorism and Security*, Retrieved on November 6, 2010 from <http://www.un.org/News/Press/docs/2005/sgsm9757.doc.htm>

This address discusses the main elements of the terrorism strategy and the role of the United Nations. The address provides a brief summary of the most important elements of a comprehensive strategy to combat terrorism. It also introduces the implementation task force, under the Secretary-General's Office, which will meet to review and ensure that all parts of the United Nations bodies play their proper role in the fight against terrorism.

United Nations Secretary-General. (2006). *Uniting against terrorism: Recommendations for a global counter-terrorism strategy, (SG/SM/10440GA/10457)*. Retrieved on November 6, 2010 from <http://www.un.org/News/Press/docs/2006/sgsm10440.doc.htm>

This address echoes the main elements of the terrorism strategy and promotes cooperation among member states. This address provides a brief summary of the most important elements of a comprehensive strategy to combat terrorism. It also discusses the need for enhanced capacity building methods and transparency.

United Nations Security Council. (2003). *High-level meeting of the Security Council: combating terrorism (S/PV.4688)*, Retrieved on November 6, 2010 from <http://www.casi.org.uk/info/undocs/sc030120.pdf>

This high-level meeting presents the argument that work must be done to strengthen and mobilize the international community in regards to terrorism. According to this document, the United Nations must play a major role in combating terrorism throughout the world. This document also concludes that the United Nations should focus its attention toward drafting international protocols that address counter-terrorism efforts.

United Nations Security Council. (2006). *Human Rights*. Retrieved on September 13, 2010 from <http://www.un.org/Docs/ctc/humanrights.shtml>

This website discusses the relationship between counter-terrorism and human rights as presented in 2003 at a ministerial-level meeting of the Security Council. It also discusses the work of the Counter-Terrorism

Committee and monitors the implementation of resolution 1373 (2001). This website also provides links to briefings and presentations on the matter of human rights and terrorism.

United Nations Security Council. (2010). *Letter dated 12 July 2010 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council 2010 S/2010/366*. Retrieved on November 6, 2010 from http://www.un.org/en/sc/ctc/docs/2010/2010_workprogramme_2.pdf

This letter discusses the work program of United Nations and the state of the counter-terrorism community. It also discusses the Monitoring and promoting the implementation of resolution 1373 (2001) and work done in cooperation with the Security Council. It also discusses the status of the implementation of the United Nations Global Counter-Terrorism Strategy.

Ziring, L., Riggs, R. E., & Plano J. C. (2005). *United Nations: International Organization and World Politics, 4th ed.* Belmont, CA: Thomson Wadsworth.

This book is a comprehensive guide to the United Nations. It discusses the history, processes, structure and functions of the United Nations. It also sheds light on the threat terror the work the United Nations is doing to combat it globally. The book also mentions the role of the United Nations in assisting with development disease, and political instability.

Rules of Procedure General Assembly Third Committee

Introduction

1. These rules shall be the only rules which apply to the General Assembly Social, Humanitarian and Cultural Committee (hereinafter referred to as “the Committee”) and shall be considered adopted by the Commission prior to its first meeting.
2. For purposes of these rules, the Plenary Director, the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretaries-General, are designates and agents of the Secretary-General and Director-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Director-General or her or his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Committee.

I. SESSIONS

Rule 1 - *Dates of convening and adjournment*

The Committee shall meet every year in regular session, commencing and closing on the dates designated by the Secretary-General.

Rule 2 - *Place of sessions*

The Committee shall meet at a location designated by the Secretary-General.

II. AGENDA

Rule 3 - *Provisional agenda*

The provisional agenda shall be drawn up by the Secretary-General and communicated to the Members of the Committee at least sixty days before the opening of the session.

Rule 4 - *Adoption of the agenda*

The agenda provided by the Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting. Items on the agenda may be amended or deleted by the Committee by a two-thirds majority of the members present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, —those present and voting¹ means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.

Rule 5 - *Revision of the agenda*

During a session, the Assembly may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during a session. Permission to speak on a motion to revise the agenda shall be accorded only to three representatives in favor of, and three opposed to, the revision. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a session, may be placed on the agenda if the Assembly so decides by a two-thirds majority of the members present and voting. No additional item may, unless the General Assembly decides otherwise by a two-thirds majority of the members present and voting, be considered until a committee has reported on the question concerned.

As the General Assembly Plenary determines the agenda for its Committees, this rule is applicable only to the Plenary body. Since NMUN 2011 will simulate the Plenary only on its last day, the agenda approved by the Secretariat is set. Items cannot be amended or added to the agenda by any of the Committees of the Assembly. For purposes of this rule, the determination of an item of an “important and urgent character” is subject to the discretion of the Secretariat, and any such determination is final. If an item is determined to be of such a character,

then it requires a two-thirds vote of the Assembly to be placed on the agenda. It will, however, not be considered by the Assembly until a committee has reported on the question, or a second two-thirds vote is successful to keep the Plenary body seized of the matter. The votes described in this rule are substantive vote, and, as such, observers are not permitted to cast a vote. For purposes of this rule, "the members present and voting" means those members (not including observers) in attendance at the session during which this motion comes to vote.

Rule 6 - Explanatory memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents.

III. SECRETARIAT

Rule 7 - Duties of the Secretary-General

1. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Committee.
2. The Secretary-General shall provide and direct the staff required by the Committee and be responsible for all the arrangements that may be necessary for its meetings.

Rule 8 - Duties of the Secretariat

The Secretariat shall receive, print, and distribute documents, reports, and resolutions of the Committee, and shall distribute documents of the Committee to the Members, and generally perform all other work which the Committee may require.

Rule 9 - Statements by the Secretariat

The Secretary-General, or her/his representative, may make oral as well as written statements to the Committee concerning any question under consideration.

Rule 10 - Selection of the President The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Committee for the duration of the session, unless otherwise decided by the Secretary-General.

Rule 11 - Replacement of the President If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at the discretion of the Secretary-General.

IV. LANGUAGE

Rule 12 - Official and working language

English shall be the official and working language of the Committee.

Rule 13 - Interpretation (oral) or translation (written)

Any representative wishing to address any body or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit.

V. CONDUCT OF BUSINESS

Rule 14 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one third of the members of the Committee are present. The presence of representatives of a majority of the members of the Committee shall be required for any decision to be taken.

For purposes of this rule, —members of the Committee means the total number of members (not including observers) in attendance at the first night's meeting.

Rule 15 - General powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Committee and over the maintenance of order at its meetings. He or she shall rule on points of order. He or she may propose to the Committee the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the President's power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference. For purposes of this rule, the President's power to —propose to the Committee entails her/his power to —entertain motions, and not to move the body on his or her own motion.

Rule 16

The President, in the exercise of her or his functions, remains under the authority of the Committee.

Rule 17 - Points of order

During the discussion of any matter, a representative may rise to a point of order, which shall be decided immediately by the President. Any appeal of the decision of the President shall be immediately put to a vote, and the ruling of the President shall stand unless overruled by a majority of the members present and voting.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, sua sponte, during the speech. For purposes of this rule, —the members present and voting mean those members (not including observers) in attendance at the meeting during which this motion comes to vote.

Rule 18

A representative may not, in rising to a point of order, speak on the substance of the matter under discussion.

Rule 19 - Speeches

1. No one may address the Committee without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Committee, and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.
3. The Committee may limit the time allowed to speakers and all representatives may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two representatives favoring and two opposing such limits, after which the motion shall be put to the vote immediately. When debate is limited and a speaker exceeds the allotted time, the President shall call her or him to order without delay.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, if the President determines that the Committee in large part does not want to deviate from the limits to the speaker's time as it is then set, and that any additional motions will not be well received by the body, the President, in her/his discretion, and on the advice and consent of the Secretariat, may rule as dilatory any additional motions to change the limits of the speaker's time.

Rule 20 - Closing of list of speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate the President may announce the list of speakers and, with the consent of the Committee, declare the list closed. When there are no more speakers, the President shall declare the debate closed. Such closure shall have the

same effect as closure by decision of the Committee.

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Committee. A motion to close the speakers list is within the purview of the Committee and the President should not act on her/his own motion.

Rule 21 - Right of reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that —impugns the integrity of a representative's State is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Committee by the representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose.

Rule 22 - Suspension of the meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass.

Rule 23 - Adjournment of the meeting

During the discussion of any matter, a representative may move the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Committee shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Committee's next regularly scheduled session the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Committee.

Rule 24 - Adjournment of debate

A representative may at any time move the adjournment of debate on the topic under discussion. Permission to speak on the motion shall be accorded to two representatives favoring and two opposing adjournment, after which the motion shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. If a motion for adjournment passes, the topic is considered dismissed and no action will be taken on it.

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Committee favors the closure of debate, the Committee shall immediately move to vote on all proposals introduced under that agenda item.

Rule 26 - Order of motions Subject to rule 23, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- a) To suspend the meeting;
- b) To adjourn the meeting;
- c) To adjourn the debate on the item under discussion;
- d) To close the debate on the item under discussion.

Rule 27 - Proposals and amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Committee would like the Committee to consider the proposal or amendment.

The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Committee unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated. If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Committee for all purposes, including subsequent amendments.

For purposes of this rule, all —proposals shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Committee by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Committee. These draft resolutions are the collective property of the Committee and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.

Rule 28 - Withdrawal of motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting has commenced, provided that it has not been amended. A motion thus withdrawn may be reintroduced by any representative.

Rule 29 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Committee, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

For purposes of this rule, —those present and voting¹ means those representatives, including observers, in attendance at the meeting during which this motion is voted upon by the body.

VI. VOTING

Rule 30 - Voting rights

Each member of the Committee shall have one vote.

This rule applies to substantive voting on amendments, draft resolutions, and portions of draft resolutions divided out by motion. As such, all references to —member(s) do not include observers, who are not permitted to cast votes on substantive matters.

Rule 31 - Request for a vote

A proposal or motion before the Committee for decision shall be voted upon if any member so requests. Where no member requests a vote, the Committee may adopt proposals or motions without a vote.

For purposes of this rule, —proposal means any draft resolution, an amendment thereto, or a portion of a draft resolution divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote.

Rule 32 - Majority required

1. Unless specified otherwise in these rules, decisions of the Assembly shall be made by a majority of the members present and voting.
2. For the purpose of tabulation, the phrase “members present and voting” means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

All members declaring their representative States as “present and voting” during the attendance roll call for the meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.

Rule 33 - Method of voting

1. The Committee shall normally vote by a show of placards, except that a representative may request a roll call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each present member shall be called in any roll call, and one of its representatives shall reply “yes,” “no,” “abstention,” or “pass.”

Only those members who designate themselves as —present‖ or —present and voting‖ during the attendance roll call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying —pass,‖ must, on the second time through, respond with either —yes‖ or —no.‖ A —pass‖ cannot be followed by a second —pass‖ for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

2. When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by show of placards and a recorded vote shall replace a roll-call vote. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall dispense with the procedure of calling out the names of the members.
3. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

Rule 34 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends.

Rule 35 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

Rule 36 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

For purposes of this rule, —most radical division‖ means the division that will remove the greatest substance from the draft resolution, but not necessarily the one that will remove the most words or clauses. The determination of which division is —most radical‖ is subject to the discretion of the Secretariat, and any such determination is final.

Rule 37 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal.

An amendment can add, amend, or delete operative clauses, but cannot in any manner add, amend, delete, or otherwise affect perambulatory clauses.

Rule 38 - Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, —furthest removed in substance means the amendment that will have the most significant impact on the draft resolution. The determination of which amendment is —furthest removed in substance is subject to the discretion of the Secretariat, and any such determination is final.

Rule 39 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Committee decides otherwise, be voted on in the order in which they were submitted.

Rule 40 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VII. CREDENTIALS

Rule 41 - Credentials

The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General prior to the opening of a session.

Rule 42

The Committee shall be bound by the actions of the General Assembly in all credentials matters and shall take no action regarding the credentials of any member.

VII. PARTICIPATION OF NON-MEMBERS OF THE COMMITTEE

Rule 43 - Participation of non-Member States

1. The Committee shall invite any Member of the United Nations that is not a member of the Committee and any other State, to participate in its deliberations on any matter of particular concern to that State.
2. A committee or sessional body of the Committee shall invite any State that is not one of its own members to participate in its deliberations on any matter of particular concern to that State.
3. A State thus invited shall not have the right to vote, but may submit proposals which may be put to the vote on request of any member of the body concerned.

If the Committee considers that the presence of a Member invited according to this rule is no longer necessary, it may withdraw the invitation again. Delegates invited to the Committee according to this rule should also keep in mind their role and obligations in the committee that they were originally assigned to. For educational purposes of the NMUN Conference, the Secretariat may thus ask a delegate to return to his or her committee when his or her presence in the Committee is no longer required.

Rule 45 - Participation of national liberation movements

The Committee may invite any national liberation movement recognized by the General Assembly to participate, without the right to vote, in its deliberations on any matter of particular concern to that movement.

Rule 46 - Participation of and consultation with specialized agencies

In accordance with the agreements concluded between the United Nations and the specialized agencies, the specialized agencies shall be entitled: a) To be represented at meetings of the Committee and its subsidiary organs; b) To participate, without the right to vote, through their representatives, in deliberations with respect to items of concern to them and to submit proposals regarding such items, which may be put to the vote at the request of any member of the Committee or of the subsidiary organ concerned.

Rule 47 - Participation of non-governmental organization and intergovernmental organizations

Representatives of non-governmental organizations/intergovernmental organizations accorded consultative observer status by the General Assembly and other non-governmental organizations/intergovernmental organizations designated on an ad hoc or a continuing basis by the Committee on the recommendation of the Bureau, may participate, with the procedural right to vote, but not the substantive right to vote, in the deliberations of the Committee on questions within the scope of the activities of the organizations.