



CHAPTER FOUR THE GENERAL ASSEMBLY AND COMMITTEES

Introduction

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

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

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

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

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

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

THE CONCURRENT GENERAL ASSEMBLY PLENARY

Purview of the Simulation

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

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

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

THE ROLE OF DIAMONDS IN FUELLING CONFLICT

Conflict diamonds, according to the United Nations, are rough diamonds used by rebel movements to finance their military activities, including attempts to undermine and overthrow legitimate governments. The United Nations has been central in advocating the position that promoting legitimate diamond trading will lead to peace, which will lead to development. Despite universally-acknowledged links between diamonds and conflict across Africa, consensus on how to resolve the problem has been difficult, and enforcement of international standards even more so. The language surrounding the issue is intensely political, in part due to the large number of stake-

holders and in part due to the vast wealth at stake. Stakeholders in the issue include governments, NGOs, the United Nations, the diamond industry, arms dealers and smugglers, finance companies, consumers, traders, as well as paramilitary and extra-governmental groups.

Civil wars and violent conflict have erupted throughout the 1990s and 2000s in Angola, Sierra Leone, Liberia, the Democratic Republic of the Congo (DRC), and most recently in Zimbabwe, where diamonds are frequently mined by rebel groups to use as capital to buy arms and foster civil conflicts. The diamonds from contested regions in Africa are less expensive than gems from other parts of the world, and many corporations have a vested interest in keeping diamond prices low, which has led some to charge the industry with complicity in the problem.

The cycle of trade between diamonds and arms increases the difficulty of successful government intervention and implementation of international standards. Governments are often unable to halt diamond mining by rebel groups. In states in conflict, areas run by rebel groups are difficult, if not impossible, to control. Standards and legitimacy are often non-existent in such situations and often governments themselves are dependent on minerals for their own export purposes. And once diamonds are in the marketplace, their origin is increasingly difficult to trace. After the diamonds are polished, they become unidentifiable.

The United Nations' attempts to restrict the trade in conflict diamonds began in 1998 with Security Council resolutions that placed an embargo on the National Union for the Total Independence of Angola (UNITA) rebels, who profited by selling diamonds in order to facilitate civil war. The Security Council adopted similar schemes with respect to the governments of Sierra Leone and the DRC to deprive each country's rebel groups of income. Even after these Security Council resolutions, the rebels continue to mine and sell diamonds in order to purchase arms to continue the conflict.

In May 2000, in response to growing international concern, governments and industry officials gathered in Kimberley, South Africa, to develop a strategy for ensuring that diamond certification schemes have internationally recognized standards. The result was the Kimberley Process Certification Scheme (KPCS), which was signed by fifty-two countries by November 2002, and was fully implemented in August 2003. The Kimberley Process mandates that participating countries to export their diamonds in tamperproof containers with forgery-proof export certificates that are tracked in a universal database. The Kimberley Process has been widely embraced by the international community, but significant challenges remain. Many consider the most significant weakness of the Kimberley Process to be its emphasis on "voluntary self regulation" by the diamond industry to ensure that diamonds are not from conflict regions. Thus, there is no neutral, outside observer to ensure compliance; if an entity claims to abide by KPCS regulations, it is difficult to prove otherwise. Though it is widely believed that the KPCS has reduced trade in conflict diamonds, its effectiveness is both difficult to measure and admittedly imperfect. Independent experts in Sierra Leone, for example, estimate that illicit sales make up between 15-20 percent of total trade, while official estimates suggest trade in conflict diamonds has dropped to around 1 percent in the seven years since the KPCS's implementation.

The KPCS meets annually to review progress and discuss current issues, and the UN General Assembly frequently notes and comments on these meetings and broad international goals. In the June 2010 meeting in Tel Aviv, Israel, the worsening situation in Zimbabwe was at the top of the agenda, but the parties left the meeting without agreement. At issue is Zimbabwe's adherence to the minimum requirements of the KPCS, especially in relation to rough diamonds from the Marange mining area. The Zimbabwean inspector certified the country's compliance, while a report from Global Witness, an NGO stakeholder in the KPCS, called for a six-month suspension of Zimbabwe from the KPCS while compliance could be established and verified. The Tel Aviv meeting ended without consensus on the issue, and the situation in Zimbabwe will likely be at the center of future discussions about conflict diamonds generally and about the efficacy of the Kimberley Process in particular.

The problem of conflict diamonds is complicated by the complex relationship between the relevant UN organs, which include the General Assembly, the Security Council, and various UN missions. In addition to diamonds, the situation also brings into question issues of arms trading, labor, and violence directed toward communities and groups of people. How the various stakeholders, especially paramilitary and rebel groups without formal standing in the international system, relate to one another are critical issues for the United Nations to address. The General Assembly is also examining how it responds to these issues in cooperation with the Security Council and various UN missions in affected countries. It has called on states with significant interest in the issue to continue open discussions, and it has asked for further reports and considerations on technical issues. Future actions may include further study, funding, developing a new certification scheme, or altering the current one.

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

- Is your country a participant in the Kimberley Process? Why or why not?
- What is the appropriate role of NGOs and corporate or commercial actors in this process? Specifically, what is the role of the industrialized world, as the primary consumers of diamonds, in preventing conflict?
- What is the relationship between the General Assembly and the UN Security Council regarding rough diamonds and conflict?
- How can the relationship between poverty, underdevelopment and conflict diamonds be broken or its effects reduced?

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S/RES/1344 (2001)
S/RES/1295 (2000)
S/RES/1295 (2000)
S/RES/1176 (1998)
S/RES/1173 (1998)
S/RES/864 (1993)
SC/6886 (2000)
SC/6871 (2000)
S/2000/203

Additional Web Resources

www.globalwitness.org/campaigns/diamonds/ - Global Witness (NGO)
www.kimberleyprocess.com/ - Official Website for the Kimberley Process
www.un.org/peace/africa/Diamond.html - UN-related information on conflict diamonds
www.worlddiamondcouncil.com - The World Diamond Council
<http://www.globalpolicy.org/security-council/dark-side-of-natural-resources/diamonds-in-conflict.html> - Global Policy Forum, Diamonds in Conflict
Special note: for searching purposes in UN Documents, the word “fuelling” is spelled in the British fashion.

OUTCOME OF THE CONFERENCE ON THE WORLD FINANCIAL AND ECONOMIC CRISIS AND ITS IMPACT ON DEVELOPMENT

In 2009, years of unsustainable growth patterns and systemic weaknesses in the global economy came to a head, resulting in a financial and economic crisis the size of which had not been seen since the Great Depression. While the exact causes of the crisis are debatable, it is clear that each country has faced negative internal and external consequences, and the ramifications of the collapse were only dramatized by the speed of late twentieth-century globalization. The impact felt within developing nations is of particular significant concern, as economic repercussions threaten to curtail financial progress and could even reverse recent gains. Such was the consensus of the UN Conference on the World Financial and Economic Crisis and its Impact on Development, held last year as a response to the crisis.

The financial and economic crisis’s effects on development were—and as of this writing, remain—severe. While the financial effects of

the crises have been noted worldwide, perhaps those countries most affected were the developing nations of Eastern Europe and Argentina. China’s historically insulated banking system has allowed it to largely sidestep the recession, while industrial economies such as the United States of America, Germany, and Japan have witnessed stock market declines, yet remain among the least affected. Burgeoning rates of unemployment and poverty have been noted in several countries, while industrialized countries have witnessed overall disenchantment with financial institutions. The trend toward increasing world trade has been reversed, and nearly every market has suffered reductions in investment and growth, leading to fears of protectionism and isolationism. Such trade measures have also taken a toll on already fragile economies as they caused markets to shrink and economic activity to decline.

The potential fragility of the international economic system was not unknown before the financial collapse. In 2002, the UN International Conference on Financing and Development met and produced the Monterrey Consensus, a document that underscored the value of the United Nations’ relationship with international financial institutions and outlined six areas that would require attention for international development. Additionally, it outlined steps that Member States could take at the national and regional level to ensure the highest level of global financial cooperation.

As the crisis developed, however, and came to a head Member States of the United Nations established—via the Doha Declaration at the International Conference on Financing for Development in 2008—a mandate for a summit to be held in June 2009. The Summit would involve heads of state as well as members of civil society with vested interests in the proceedings. What emerged from the roundtable discussions was a wide-ranging report, adopted by consensus, known as the Outcome Document. This document issued recommendations to counter the recession and to strengthen global cooperation and reform of global financial and economic institutions. It called for 1) a global stimulus that would work for both individual countries as well as regional blocs; 2) consensus on how to contain the effects of the crisis; 3) plans to cushion and prevent future global economic and financial stress; and 4) the improved regulation and monitoring of global institutions.

The final section of the Outcome Document called on various intergovernmental and UN bodies to increase the cohesiveness and soundness of international cooperation. It requested the UN Economic and Social Council (ECOSOC) act as a leader in this cause, establishing ways for ECOSOC to make recommendations to the General Assembly and promote and assess the strength of international policies related to the world’s financial and economic institutions. Though the Outcome Document is largely prescriptive in nature, suggesting international agenda topics and market reform, it lays forth concrete measures for international organizations to follow.

Following the Outcome Document, bodies such as the International Monetary Fund, World Bank, and Inter-Parliamentary Union held meetings to continue addressing the need to revive the global economy. At the top of the agenda, alongside remedial payments to counteract immediate job loss and unemployment, is monetary assistance to those developing countries which have been hardest hit. While many countries have seen increasingly optimistic data surrounding economic growth and faith in financial institutions, the world is still reeling from the aftershocks of the collapse. The future prosperity of

all Member States lies in the hands of public policy experts at both local and international levels.

In August 2009, the General Assembly established an ad hoc open-ended working group to follow up on the issues brought forth in the June summit. The working group decided to hold a series of six meetings that ended in June of this year. This body and various other UN bodies and committees have discussed and offered measures to begin restructuring and/or countering the recession. These measures include, among other things, improving the liquidity of international funds, developing new lending agencies, and revising the dominance of developed nations in the Bretton Woods institutions. These meetings are expected to culminate in a report of the Working Group, to be presented to the General Assembly.

Perhaps the largest impediment to United Nations action in overcoming future economic and financial crises is Western opposition to large structural change within the UN. The mandate of the conference essentially split those countries present along developed and developing country lines. While the summit was convened to not only examine the current issue but also address the future of development, such Member States as the United States reported negative feelings toward reform of such things as reserve systems and global architecture and institutions. Developed countries also noted major disagreement in discussions of legitimate trade defense measures and the potential for an international reserve currency arose. This divide was further evident in disagreements about the relationship between the financial crisis and development, specifically in relation to the Millennium Development Goals. There is some fear, especially among developing nations, that the financial crisis may retard progress toward the MDGs while increasing unemployment, decelerating growth, growing deficits, and reducing access to credit.

Future actions and initiatives will require countries and institutions to work together to coordinate responses to the crisis. Measures will need to benefit as many of the involved parties as possible, with an emphasis on safeguarding economic progress that has already been made, guaranteeing adequate support for immediate action, and ensuring that long-term solutions are considered and implemented. It is also necessary to consider the human and social effects that the crisis has on vulnerable populations, including migrant workers, women and other impoverished groups. Additionally, future actions should be made with consideration towards a continued world-wide commitment to climate change and environmental sustainability. The General Assembly's role in this effort is twofold: first, it must work to coordinate efforts among various countries and institutions, and second, it must explore ways in which the United Nations itself can work to achieve these goals.

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

- What have been the adverse human costs related to the economic downturn? Does recent worldwide data reflect increasing trust in financial institutions, or does it suggest a bleaker outlook?
- What steps have been taken to address the crisis and what can be done to ensure that future measures are beneficial at both national and international levels?
- G20 countries: have you held up your financial commitments made at the London Summit in April of 2009? Developing countries: how has humanitarian action in your country shifted in light of the collapse? Has your country's focus on the Millennium Development Goals changed since the economic

downturn? What responsibility do states have towards one another when faced with extreme economic pressures?

- How can the UN ensure the implementation of the goals outlined in the Outcome of the World Financial and Economic Crisis and its Impact on Development?

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Additional Web Resources

- www.un.org/ga/econcrisissummit - United Nations Conference on the World Financial and Economic Crisis
- www.un.org/esa/ffd/index.htm - United Nations Financing and Development
- www.imf.org/external/index.htm - International Monetary Fund
- www.brettonwoodsproject.org - Bretton Woods Project
- www.globalpolicy.org/world-economic-crisis.html - Global Policy Forum, The World Economic Crisis



THE GENERAL ASSEMBLY FIRST COMMITTEE: DISARMAMENT AND INTERNATIONAL SECURITY

Purview of the Simulation

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

does not address legal issues surrounding weapons possession or control complex peace and security issues addressed by the Security Council. For more information concerning the purview of the UN's General Assembly as a whole, see page 20.

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

TOWARDS AN ARMS TREATY: ESTABLISHING COMMON INTERNATIONAL STANDARDS FOR THE IMPORT, EXPORT AND TRANSFER OF CONVENTIONAL ARMS

There are currently a half billion military small arms around the world, responsible for somewhere between 300,000 and 500,000 deaths a year, yet there is no international trade agreement that limits their sale or transfer. Illicit arms transfers exacerbate regional and sub-regional conflicts, and the lack of transparency and oversight in the production, sale, and transport of these weapons means that millions fall into the wrong hands each year, but licit sales and transfers of small arms are also cause for considerable concern. Furthermore, without a common international framework to control these transfers, international sanction regimes are severely impeded and violent groups continue to operate outside the realm of international law. The United Nations has determined that small arms trafficking is a threat to international peace and stability, and there is a growing movement in support of an arms trade treaty (ATT).

Small arms are weapons carried and used by individual infantry soldiers, making up the bulk of military hardware around the world. Small arms are cheap, mobile, lethal, easy to conceal and difficult to track. These characteristics have made them the weapons of choice for gang activity, narcotics trafficking, organized crime and terrorism, as well as inter-state and civil wars. The vast majority of direct conflict deaths are attributable to the use of small arms.

Current debate surrounding international small arms controls has focused on a few vital areas: manufacture, end-use verification, tracking, stockpile management and ammunition. Global patterns of supply have changed drastically over the last several decades. The proliferation of regional manufacturing, along with increased use of intermediary, non-state brokers, has enormously complicated the task of tracking and regulation. End-use verification regimes focus on keeping complete records for possession of weapons for their entire life span. Successful tracking allows for weapons to be traced back to their last legitimate owner and provides accountability for illicit proliferation. Controlling stockpiles of existing weapons is crucial in order to avoid a secondary flow of illicit light arms which avoid the regulations placed on newly manufactured weapons. Ammunition monitoring is also a vital component of any effective regime. Currently over 80 percent of ammunition transfers fall outside of reliable export data reporting.

As early as 1988, individual delegations had raised the issue of a need to regulate small arms and the General Assembly had even passed resolutions affirming the threat posed by small arms. In 1999, the issue of small arms came before the UN Security Council. That same

year, the General Assembly voted to hold a conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The result of that meeting was the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (POA). Aimed at preventing illicit trade in small arms, the POA called for tight controls on the sale of arms. Member States agreed to issue end-user certificates for weapons exports, to mark guns to help identify point of manufacture for tracking, and to better enforce weapon trade embargoes, among other provisions. On other contentious issues, however, the POA is silent or vague; for example, the POA does not mention human rights, address the problem of illicit transfers of small arms to non-state actors, or indicate how states might regulate small arms within their own populations.

After follow-up meetings in 2003 and 2005, the General Assembly, in 2006, requested that the Secretary-General assemble a group of experts to analyze the feasibility, contours and policy possibilities of a comprehensive, legally binding treaty creating international standards for the transfer of conventional weapons (A/RES/61/89). The resulting document identified previous attempts at arms control, specifically the United Nations Register of Conventional Arms of 1991 and the United Nations Standardized Instrument for Reporting Military Expenditure that preceded it in 1980. The report affirmed the complexity of the issue, but concluded that a treaty was feasible if constructed with the consensus of the international body and the UN Charter as its core (A/63/334). The United States was the only Member State to vote against the ATT conference resolutions, though it reversed its position in 2009 and has since declared its support for a legally binding trade regime. With the adoption of A/RES/64/48, the UN formalized plans to work toward an arms trade treaty, primarily through a series of preliminary committee meetings, with the intent of concluding negotiations at a conference in 2012.

Several challenges remain in the effort to create a global arms trade treaty. Some Member States are hesitant to support any treaty until certain questions are settled, including concerns that any agreement could erode their ability to transfer weapons within their borders. Others are hesitant to support any treaty that would impose limits on the trade of ammunition, fearing that such a measure could be used to curtail a state's ability to supply its armed forces. Major weapons exporters fear the possible economic repercussions to their arms industries and that they may be held accountable for what happens to the weapons once they leave their national territories. Member States that face growing security threats are also concerned that an ATT could erode their stability. Furthermore, several key questions that need to be addressed by any conventional arms treaty remain. One is a definition of light and conventional weapons. Land mines, cluster bombs, and many forms of mobile artillery currently fall within a definitional gray area. The specifics of enforcement are also crucial to resolve. The current patchwork of national, regional, and international organizations exercising jurisdiction will need to be harmonized.

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

- What types of domestic regulatory infrastructure does your country currently use? How can the UN craft an ATT that will not infringe upon domestic transfers of weapons?
- How successful have various regional small arms reduction efforts been? What successful measures might be applicable on an international scale? What problems remain to be overcome?
- How can the burden of enforcement and accountability be shared appropriately between exporters and importers?
- How can the UN ensure full transparency of arms sales while still finding the necessary international consensus?
- Are different mechanisms required to deal with licit and illicit small arms sales?

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A/63/334
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A/C.1/64/L.38/Rev. 1
S/2008/258

Additional Web Resources

- <http://www.iansa.org> - International Action Network for Small Arms
- <http://www.un.org/disarmament> - United Nations Office for Disarmament Affairs
- <http://www.controlarms.org/en> – Control Arms, a joint campaign of IANSA, Amnesty International, and Oxfam
- www.poa-iss.org/PoA/PoA.aspx - Programme of Action Implementation Support System

NUCLEAR NON-PROLIFERATION TREATY

The Nuclear Nonproliferation Treaty (NPT) is a groundbreaking component of the international law system. Since its entry into force in 1970, the NPT has been the cornerstone of the global nuclear non-proliferation regime, as it is the only multilateral treaty containing a binding commitment to nuclear disarmament by the known nuclear-weap-

on states. One hundred eighty-nine countries are party to the treaty, making the NPT one of the most-broadly supported treaties in the modern system. The treaty has three main pillars: non-proliferation, disarmament and cooperation for peaceful uses of nuclear technology. It promotes cooperation in the prevention of the spread of nuclear weapons while promoting the sharing of peaceful nuclear technology.

Two main bodies are tasked with implementing the NPT: The General Assembly First Committee is primarily tasked with maintaining a disarmament regime, whereas the International Atomic Energy Agency (IAEA) is primarily tasked with monitoring the more peaceful uses of the energy technology. The two bodies work together to ensure and fulfill the treaty's provisions.

The requirements of the NPT disarmament regime have been a source of ongoing discussion and negotiation among signatories. The disarmament regime has been particularly difficult to implement because it requires Member States to balance the assertion of their national sovereignty with their international commitments. Recent agreements in the international community, especially bilateral safeguard agreements, have shown a growing commitment to taking substantive steps toward a reduction of nuclear arms. One role for the First Committee is to assist in enabling and fulfilling these agreements.

Though it has widespread support, the NPT suffers from two major weaknesses. First, there are still nations which have not signed the treaty, which limits the international community's ability to enforce the treaty's terms. India, Pakistan, and Israel have not signed the NPT, and the Democratic People's Republic of Korea (DPRK) withdrew from the treaty in 2003. India and Pakistan are declared nuclear powers, which is disallowed under the current treaty's terms, and Israel maintains a policy of deliberate ambiguity regarding its nuclear status. These three states argue that the NPT creates an untenable division between nuclear states and non-nuclear states based on what they view as an arbitrarily set standard. The DPRK conducted an underground nuclear explosive test in October 2006. Addressing countries' reservations is key to expanding the effectiveness of the NPT in the future. Second, the international community has specific questions regarding certain states and their compliance with the NPT, including whether their goal is to pursue peaceful energy uses or potential weapons status.

A major source of concern and discussion for many states is Article X of the treaty, which establishes a state's right to withdraw from the treaty after giving three-months' notice. Because the treaty allows for peaceful uses of nuclear energy, reasons for withdrawing from the NPT usually fall into two categories. First, withdrawal could be taken as an indication that a State wishes to develop nuclear weapons. Second, States may argue that the treaty's force breaks down as more nuclear states, both declared and undeclared, develop, thus withdrawing from the treaty is a proactive security measure against increased proliferation in violation of the treaty. One oft-cited problem with the "opt-out" clause is that it does not require a Member State to declare its intentions before opting out, which increases uncertainty in the international community.

Every five years the NPT is subject to a required review as set forth by the conditions of the treaty. In 2005, there was an intensive review of the state of and attitude toward the NPT. Many of the attendees at the 2005 conference perceived a crisis of legitimacy stemming from a lack of leadership on the global stage. The participants agreed that an effective enforcement regime would promote confidence in the existing NPT framework. Other key elements discussed in the 2005 conference were nonproliferation and counter-proliferation. The participants reached consensus on the need to strengthen counter-proliferation activities, but agreed that in many instances the international community

lacked the political will to effect implementation. Furthermore, S/RES/1540 took an important step by declaring proliferation itself a direct threat to national security. Yet not all states were content with the results of the 2005 review, claiming that it failed to go far enough to promote the non-proliferation regime, a primary failing of which was the non-participation of Member States. Between the 2005 and 2010 Conferences, the international community saw a renewed level of commitment to the goals of the treaty among Member States and among non-governmental organizations. This renewed commitment was due in part to frustration at the 2005 review's failures, growing public support for nuclear disarmament, and an expressed desire to reaffirm the fundamental aims of the NPT as a viable part of international law.

The 2010 Review Conference was colored by intense negotiations, but resulted in agreements on specific steps to speed progress on nuclear disarmament, advance non-proliferation, and work towards a nuclear-weapon-free zone in the Middle East. The Conference resolved that the nuclear-weapon States commit to further efforts to reduce and ultimately eliminate all types of deployed and non-deployed nuclear weapons, including through unilateral, bilateral, regional and multi-lateral measures. Specifically, the Russian Federation and the United States were urged to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (START). Additionally, the Conference participants agreed to establish a subsidiary body to deal with nuclear disarmament within the context of an agreed, comprehensive and balanced program of work. Reaffirming the legitimate interest of non-nuclear-weapon states in receiving unequivocal and legally binding security assurances, the Conference also resolved that the Conference on Disarmament should immediately begin discussing effective international arrangements for such guarantees. Following the 2010 review, the First Committee will assess the outcomes of the Conference and focus on furthering those agreements and will discuss future steps and initiatives to further the overall objectives of the NPT.

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

- What is the nuclear status of your state? How does your state's nuclear status affect its stance on the NPT?
- How effective was the 2010 NPT review in furthering the broad goals of the NPT?
- What is the relationship between nuclear disarmament, nuclear proliferation, and nuclear energy? Are they separate issues or must they be considered together?

- What are the next steps to be taken by the First Committee to advance the goals of the NPT and the progress made in the 2010 NPT review?

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A/C.1/64/L.14/Rev.1
A/C.1/64/L.18
A/C.1/64/L.19
A/C.1/64/L.20
A/C.1/64/L.32/Rev.2
A/C.1/64/L.36
A/C.1/64/L.48
A/C.1/64/L.54
A/C.1/64/L.51

Additional Web Resources

<http://www.un.org/en/conf/npt/2010/index.shtml> - 2010 Review Conference



THE GENERAL ASSEMBLY SECOND COMMITTEE: ECONOMIC AND FINANCIAL

Purview of the Simulation

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

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

assistance to Member States, whereas the Fifth Committee address the budgetary issues within the UN System. The Second Committee does not address social issues that affect development; such issues are considered by the Third Committee. For more information concerning the purview of the UN's General Assembly as a whole, see page 20.

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

MACROECONOMIC POLICY QUESTIONS

The broad range of Macroeconomic Policy Questions addressed by the UN General Assembly's Second Committee are divided into four subtopic areas that comprise Macroeconomic Policy Issues: International Trade and Development, International Financial Systems and Development, External Debt and Development, and Commodities. The content of debate and draft resolutions shape global economic strategies that address the maintenance of global economic stability, responses to general or specific economic crises, and adjustments to macroeconomic frameworks. The Second Committee works to coordinate the work of various global financial organizations, including the World Bank (WB), the International Monetary Fund (IMF), the World Trade Organization (WTO), the Paris and London Clubs, the Development Assistance Committee (DAC), the United Nations Development Programme (UNDP), and the United Nations Conference on Trade and Development (UNCTAD), among other entities. Additionally, the Second Committee focuses its work on independent UN actions. Additionally, under the topic of Macroeconomic Policy Issues, the Second Committee deals with systemic monitoring mechanisms that consider the quality of global economic patterns, analyzes the progressive effect of policy initiatives, and determines possible remedies. Through extensive debate and multilateral negotiation, regional economic structures, bilateral programs, economic initiatives and proposed regulations are formulated according to one of the four Macroeconomic Policy Issues areas. Each subtopic area is assessed and addressed by draft resolutions independently.

While the potential areas for discussion are broad, recent work has focused on the interrelationship of the four subtopic issues, especially as they relate to the recent global financial crisis and the status of developing nations. At the start of the new millennium, nations around the world embarked on a mission to achieve a set of new goals to meet the needs of the world's poorest people; collectively these were defined as the Millennium Development Goals (MDGs). Many have since concluded that the global recession, which began in 2008, has reversed many of the gains made in the early part of the decade and subsequently jeopardized the attainment of the Goals. The global economic outlook is still uncertain. Some economists tentatively declared that the world was emerging from the recession in early 2010, while others proposed a grimmer outlook, even suggesting the possibility of a "double-dip" economic recession in light of economic events in Europe in the spring and summer of 2010. Unquestionably, however, the international community faces a number of macroeconomic policy issues that stand in the way of further progress towards the MDGs. The relationship of developing nations to the MDGs, the global financial

crisis, and macroeconomic policy issues are deeply interrelated. Take, for example, the case of commodity-dependent developing countries (CDDCs) Given the recent dramatic price declines of some commodities, they may find it much harder to service their debt obligations at a sustainable level.

On the issue of international trade and development, discussion has focused on the Doha Round of World Trade Organization (WTO) trade talks and improving the state of the least developed countries. In this area, actions might include increasing regulation and reform of the international finance system in the wake of the financial crisis. Regarding debt, debate has centered on sustainability and ameliorating the precarious situation of many deeply indebted nations following the global recession. Finally, in regard to commodities, the international community is concerned with volatility in the commodity and capital markets and the plight of CDDCs, which have particularly struggled in the crisis environment. The many booms and busts in the international commodity markets are damaging to these vulnerable economies, as they depend on commodities as a main source of income and employment.

Many past resolutions (e.g. A/RES/64/192, A/RES/64/188) have called for the completion of the Doha Round of negotiations of the World Trade Organization, which many hope will lead to improved market access for many developing nations. At the Sixth World Trade Organization Ministerial Conference, nations agreed to implement duty-free and quota-free market access for the least developed countries, though this has not yet been fully implemented. Launched in 1996, the Heavily Indebted Poor Countries (HIPC) Initiative has provided aid to 26 countries and helped to reduce their debt to sustainable levels. In 2005 the IMF, World Bank, and African Development Fund started the Multilateral Debt Relief Initiative (MDRI), in which those organizations gave up their debt claims for nations that had reached the completion point of the HIPC Initiative. Although these initiatives have helped the overall debt situation in many countries, several others continue to have difficulties fulfilling the obligations and enacting the necessary policies to participate in the HIPC Initiative. Furthermore, some countries that passed the completion point of the program have returned to unsustainable levels of debt. The UNDP has also noted the HIPC has not been comprehensive enough in its coverage to be effective, and the MDRI has failed to address the total scope of global debt.

The Common Fund for Commodities was established in 1989 as an external organization operating outside of a national framework and instead based around commodities. It provides direct funds to produc-

ers in projects focused on single commodities. Over the years, it has expanded its membership to over 100 countries. More recently, the United Nations Conference on Trade and Development (UNCTAD) has taken the lead in the formation of new policy recommendations on commodities through the formation of the Multiyear Expert Meeting on Commodities, held in March 2010. Among its recommendations was a need to increase commodity trade finance, as its scarcity was slowing the growth of developing countries, especially the CDDCs. To help address this need, regional development banks such as the African Development Bank and Asian Development Bank initiated Trade Finance Programs with over \$1 billion in seed capital; additionally, the G20 made a major pledge of \$250 billion in aid for trade finance, a portion of which was dedicated to commodity trade finance. To help develop a coordinated response to the financial crisis, The Conference on the World Financial and Economic Crisis and Its Impact on Development was held in 2009. One highlight from the outcome of the summit was the encouragement for the formation and deepening of regional economic communities (RECs). In the future, these types of organizations would be better placed to help their members through financial challenges such as liquidity shortfalls and short-term balance-of-payment difficulties. In addition, there were calls for the International Monetary Fund (IMF) and World Bank to both loosen their lending practices and loan stipulations as well as offer new programs, such as flexible credit lines. In some instances, global financial institutions are re-evaluating their policies. The ban against capital controls, for instance, is being re-examined because countries may benefit from buffers against the effects of rapid inflows and outflows of capital.

The impact and importance of each interrelated component of Macroeconomic Policy Issues is far reaching and global in scope, having an economic ripple effect on all UN Member States. Intersections of financing, international exchange of trade, currency and credits, domestic governance, and global development all hinge on congruent coordination and sustainable multilateral policy innovations, in order to achieve common wealth and equity in concert with the UN Charter, and the UN Millennium Goals.

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

- How did the global financial crisis affect your country's economy, especially in relation to the four areas considered by Macroeconomic Policy Issues?
- What area of macroeconomic policy does your nation think is most important to domestic and global economic recovery and the achievement of the Millennium Development Goals? What areas are most important for your main trading partners and allies?
- What regulatory and institutional changes are most necessary in the wake of the global recession and what mechanisms can be used to affect those changes?
- What measures would be the most likely to have positive immediate and long-term effects on the global economy? Which measures are most sustainable? What can the UN do in coordination with other organizations?

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A/RES/64/190

A/RES/64/188

A/RES/63/303

A/64/418

A/64/184

A/64/178

A/64/177

A/64/167

TD/B/C.I/MEM.2/11

TD/B/C.I/MEM.2/10

TD/B/C.I/MEM.2/5

Additional Web Resources

www.wto.org – World Trade Organization

www.unctad.org – United Nations Conference on Trade and Development

www.un.org/millenniumgoals/ – United Nations Millennium Goals

www.worldbank.org – The World Bank

www.imf.org – The International Monetary Fund

PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF HUMANKIND

The earth's climate is changing because of human activity, and the rate of warming is accelerating. There is near-uniform acceptance of these facts by the scientific community, though in other circles the causes and consequences of global climate change are still disputed. For the international community, the debate over climate change distills to several questions: how urgent is the situation and how quickly and to what extent should humans act to reverse or halt global climate change? Additionally, the economic implications of climate change and regulation are of major import to UN Member States. Despite many conferences and meetings, the international community has yet to negotiate a legally binding plan that a majority of states – includ-

ing industrialized and developing nations – can agree upon. The most vulnerable nations include the Least Developed Countries (LDCs), the small-island developing nations and African nations. The Second Committee focuses its efforts on the economic questions and policies involved in preventing, reducing, and mitigating the effects of climate change in these regions.

Both industrialized and developing nations must be involved in any agreement on climate change. While every person in the world is affected by weather, the poor are often most vulnerable to changes in climate patterns. In the industrialized world, social safety nets can buffer the impact of climate-related disasters. In contrast, in the developing world, where a majority of the population lives in poverty, there are few social safety nets to cushion any natural disaster. Water supplies have dried up in some regions, while others are impacted by violent storms that have grown in intensity in recent decades.

Environmental protection has been a priority for the United Nations since its inception. However, the protection of the Earth's atmosphere and climate has taken longer to become a priority. The first United Nations Scientific Conference was held in 1949, but the Economic and Social Council (ECOSOC) was the first United Nations body to make climate change an agenda item in 1968. At the first Earth Summit in 1972, governments were warned to be mindful of activities causing climate change, and stations were established around the world to monitor long-term climate trends. In 1985, the United Nations adopted the Vienna Convention for the Protection of the Ozone Layer and similar resolutions aimed at reducing sulfur emissions into the air by thirty percent. In 1988, the Intergovernmental Panel on Climate Change (IPCC) was formed to assess the scientific knowledge on global warming, and it later concluded that there was a broad international consensus that climate change was induced by human activity.

In 1992 the Earth Summit produced the United Nations Framework Convention on Climate Change (UNFCCC) as a step towards action to stabilize climate trends. In 1997, the Kyoto Protocol to the UNFCCC—the most influential climate change legislation at that point—was adopted. The Kyoto Protocol set emission reduction targets for industrialized countries. It has resulted in the stabilization of emissions in some countries, but overall was not successful in significantly reducing emissions in industrialized countries. While the Kyoto Protocol has been the only binding piece of work that the nations have been able to agree on, not every Member State signed on. A few influential industrialized nations protested that Kyoto put too great a burden on industrialized countries to reduce their national emission levels. Some industrialized nations viewed Kyoto as disadvantaging their own national economies while placing too little responsibility on developing nations. The question of the right to industrialize is an important one; the economic impact and costs of climate change and industrial regulation are high, especially for developing nations.

Despite the Kyoto Protocol, emission rates have continued to rise in aggregate, while decreasing within some Member States. In December 2009, Member States met in Copenhagen to design the Copenhagen Accord—a framework for fighting against global warming—and devised a double-track plan which set targets for both industrialized and developing nations. Governments that signed the Copenhagen Accord agreed to make deep cuts in their emission rates as soon as possible, but many developing nations wanted the richer, industrialized nations to make much greater cuts in their emission rates than promised. Under the terms of the Copenhagen Accord, the fulfillment of states' pledges will be reviewed. The Accord also calls for a

slowing in deforestation and an increase in international aid, and it establishes a Copenhagen Green Climate Fund to channel aid and accelerate the use of green technologies.

While the Copenhagen Accord is not likely to be as effective as most nations would desire, it has propelled the international community into negotiations for a better version of the Kyoto Protocol, which would be binding on all Member States and would build on the cooperation of the Copenhagen Accord. The United Nations continues to focus on a strengthened international commitment to fighting global warming while simultaneously pursuing an agenda for sustainable development for developing nations. Throughout 2010 the UNFCCC will spearhead international negotiations on climate change ahead of the 16th Conference of the Parties (COP16) in Cancun in December 2010.

A recent document by the Second Committee (A/C.2/64/SR.29) states that there is wide support for the UN taking an active role in combating climate change in order to achieve a successful conclusion to ongoing negotiations. Member States generally agreed that collective action would be required to mitigate the effects of climate change, that greenhouse gas emissions would have to be reduced, and that the global community should take steps to improve recovery and resilience. They further enumerated linkages between climate change and other problems, including poverty, food security, water resources, land degradation, soil erosion and the reduction of biodiversity. Member States recognized, however, that these measures would be costly. They concluded that industrialized nations, which were historically responsible for climate change, must be involved in providing financial and technical assistance.

In bringing this matter to the attention of the Committee, representatives from both developing and developed nations have been key voices, emphasizing not only global initiatives, but also the importance of regional organizations. Climate change is a global problem that has pronounced local effects, and resolving such issues will take coordinated national, transnational, and international efforts that address the specific concerns of individual countries and regional blocs. Significant hurdles remain. There are still significant disagreements about the specifics of how to measure emissions outputs and their contributions to climate change. The issue of cost and financing has been a major hurdle in working toward international solutions to the climate change problem. Furthermore, countries disagree about the extent to which the Copenhagen Accord should be used as a basis for future negotiations.

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

- What are your country's policies on curbing contributions, especially related to emissions, to global climate change?
- How do global warming and climate change relate to larger issues of economic and social development? How can Member States be encouraged to implement practices that cut emission levels to contribute to the global reduction?
- How can industrialized Member States contribute to the sustainable development of developing states? What should the balance be between preventing future emissions and lessening current sources of emissions?
- How can the international community address the issues of cost control and the financial implications of climate control and recovery?

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A/C.2/64/8
A/C.2/64/SR.29
A/C.2/64/SR.5
A/C.3/64/SR.4
A/C.2/64/SR.3
UNEP/GC /24/2
United Nations Framework Convention on Climate Change
Copenhagen Accord to the United Nations Framework Convention on Climate Change
Kyoto Protocol to the United Nations Framework Convention on Climate Change

Additional Web Resources

- www.europeanclimate.org – European Climate Foundation
www.un.org/climatechange - UN Gateway on Climate Change
www.unep.org – United Nations Environment Program
<http://unfccc.int> – United Nations Framework Convention on Climate Change



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

Purview of the Simulation

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

General Assembly in coordination with other United Nations organs, such as the Economic and Social Council (ECOSOC) and the United Nations High Commissioner for Refugees (UNHCR). For more information concerning the purview of the UN's General Assembly as a whole, see page 20.

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

ELIMINATING RAPE AND OTHER FORMS OF SEXUAL VIOLENCE IN ALL THEIR MANIFESTATIONS

Although condemned by the international community, rape and other forms of sexual violence remain pervasive throughout the world; the UN estimates that one in three women will experience physical or sexual violence in her lifetime. Violence can occur within a family, in the general community, and in some places it is perpetrated or condoned by the state. Sexual violence includes acts such as marital rape, sexual abuse, sex slavery, sex trafficking, forced prostitution, forced pregnancy and systematic sexual violence used as an instrument of war by participants in violent conflict, including soldiers. Mass and systematic uses of sexual violence most often occur in societies in which gender equality is not fully or at all recognized.

Sexual violence affects not only the physical and mental health of victims but also the health, peace, and stability of societies at large. Many countries confront challenges arising from a high prevalence of sexually transmitted diseases, including HIV/AIDS, many cases of which are a direct result of rape and other acts of sexual violence. In poverty-stricken areas, the repercussions of sexual violence radiate throughout entire countries. As many of the victims who have contracted diseases as a result of acts of sexual violence are unable to afford medical care, and as some countries are unable to provide adequate medical care to those victims, mortality rates rise. This often leads to broken families and orphaned children, which further strains societal stability. Unintended pregnancies also add to the social and financial burdens women, families, and societies have to bear, and these burdens are exacerbated when HIV/AIDS and other diseases are passed from mother to child. Rape victims also often face considerable stigma stemming from cultural attitudes surrounding rape and may find themselves ostracized from their family and social networks.

In the past, the United Nations has taken several steps to address the issue of eliminating rape and other forms of sexual violence. Past resolutions have consistently called upon states to prevent and prosecute rape and other forms of sexual violence, while past conventions have set specific protections for victims of sexual violence, including the Convention on the Elimination of All Forms of Discrimination against Women, the Geneva Conventions and the Protocols additional thereto and the Convention on the Rights of the Child. The Geneva Conventions and the Rome Statute have also played a significant role in past actions of the United Nations. The Geneva Conventions have outlined sexual violence against women during armed conflict, including acts such as systematic rape, sexual slavery, and forced

pregnancy, as violations of human rights. Similarly, the Rome Statute established jurisdiction to try crimes of sexual violence, such as rape as a tool of war, within the established framework of international law. Additionally, in 2000 the Security Council specifically addressed the gravity of violence against women in armed conflict (Resolution 1325).

The UN has sponsored four World Conferences on Women since 1975, the last of which took place in Beijing in 1995. There were 12 areas of concern identified in the Beijing Platform for Action, several of which pertained to rape and sexual violence. The Declaration addressed violence against women in armed conflict as a critical area of concern requiring urgent action. At the five- and ten- year reviews of the implementation of the Beijing Platform for Action, international observers expressed harsh criticism that significant gaps persisted between commitments pledged and actions taken by Member States and alleged that the conditions for women around the world actually worsened after 1995.

Despite affirmations of strong commitment, the international community remains challenged in its attempts to implement effective courses of action to reduce sexual violence. In adopting A/62/134 in 2008, the General Assembly strongly reaffirmed the obligations of Member States to work to eradicate rape and sexual violence, in particular those States party to past conventions on sexual violence. While calling upon countries to provide support services to the victims of rape and sexual violence, the body further stipulated that a comprehensive strategy of prevention and prosecution of rape be developed and its implementation monitored.

Also in 2008, Secretary-General Ban Ki-Moon launched the UNiTE to End Violence against Women, which seeks to coordinate relevant UN agencies and offices to help prevent and punish violence against women. The Secretary-General's campaign has targeted five national-level outcomes to achieve by 2015: adoption and enforcement of national laws, effective implementation of multi-sector plans of action, increased support for data collection and monitoring, renewed attention to social mobilization and prevention strategies, and firm commitment from Member States to address sexual violence in conflict situations.

Earlier this year, the 15-year review of the implementation of the Beijing Platform for Action was held. Much of the review focused on the accomplishments and improvements achieved concerning the elimination of rape and other forms of sexual violence, but it was again underscored that strong action is still needed from the international community. While Member States have repeatedly made

strong commitments to reducing sexual violence against women, the issue remains complicated in terms of accountability, prevention, protection, and reporting. Further investments in capacity building and information dissemination are needed.

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

- What progress has your state made in implementing improved laws to punish sexual violence? Does your state have a multi-sector plan to address violence against women?
- Why has implementation of effective strategies been so difficult? How can the international community better encourage Member States to devote the resources necessary to fully implement the laws and policies necessary to eliminate rape and other forms of sexual violence?
- How is national sovereignty affected by this issue, particularly with regard to nations still in conflict? How can the UN strengthen accountability mechanisms?
- What can the General Assembly do to assist in the full implementation of existing agreements already addressing the issue?

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Beijing Declaration and Platform for Action (1995)
Convention on the Elimination of All Forms of Discrimination
against Women
Rome Statute of the International Criminal Court
Geneva Conventions and 1977 Protocols
Millennium Development Goals
Vienna Declaration

Additional Web Resources

<http://5wcw.org/> - 5th World Conference on Women
<http://endviolence.un.org> - UN Campaign to End Violence Against Women
<http://www.un.org/womenwatch/daw/> - UN Division for the Advancement of Women

STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD AS IT RELATES TO CHILD LABOR

Child labor is an international crisis exposing over 200 million children to increased exploitation and abuse. The most prominent issues concerning child labor are the trafficking of child laborers, poverty, and the ignorance of parents and children regarding the dangers of working conditions. Child labor negatively affects other children's rights by threatening their health and education, leading to further abuse and reducing the quality of their lives. The United Nations Children Fund (UNICEF) estimates that individuals under 18 years represent 40 to 50 percent of all victims of forced labor, and that 1.2 million children are trafficked annually. Child labor is considered to be both a cause and consequence of poverty. Although poverty is associated with higher levels of child exploitation, industrialized countries are not immune to this form of human rights violation. Meeting children's rights is not only essential for their development but also for achieving the vision of the Millennium Declaration.

The Convention on the Rights of the Child (CRC), adopted in 1990, recognizes that children need special rights in addition to those presented in the Declaration of Human Rights. Despite past United Nations actions relating to child labor, the Convention became the first legally binding international treaty to establish civil, cultural, economic, political and social rights for all children. The treaty details these rights in 54 articles and two Optional Protocols. Formally adopted by 193 states, the Convention is currently the most widely endorsed human rights treaty in history. The United Nations Committee on the Rights of the Child has been tasked with monitoring the progress of the Convention. Once a year, the Committee submits a report to the Third Committee.

The Convention has been a successful instrument in transforming the way children are viewed and treated worldwide. The Convention defines child labor as any form of labor which may be harmful to the safety, health, or wellbeing of children under the age of 18 years. The Convention also sets minimum ages for various types of employment. In addition, the Convention has helped connect child labor to other child rights violations. In 2000, the UN General Assembly adopted two optional protocols to specifically address the exploitation of children in sex trafficking and armed conflicts. The protocols use a multifaceted approach to tackle child exploitation by reducing

demand for children in those industries and increasing awareness of these problems. By strengthening the international legal framework, the Convention continues to play a major role in creating local and global policies and programs that support the advancement of children. As a result of Member States' commitments to the Convention, more children are surviving, attending school, and are not forced into child labor.

Recently, the Convention has been a driving force behind encouraging technical global cooperation. UNICEF, the World Bank, the International Labour Organization and state and non-governmental organizations are expected to share statistical data to provide support at the national level. In the past, the international community solely relied on the ILO's International Programme on the Elimination of Child Labor (IPEC) for statistics. Greater data sharing is expected to increase both the quality and relevance of information gathered, which will enable states to enact more effective policies in response.

Though it is estimated that the number of child laborers decreased by 11 percent between 2000 and 2004, the progress made in recent years on child rights has been threatened by the recent global economic crisis. The food and fuel crises led to a decline in household incomes, and economic hardship threatens to push more children out of school and into the workforce. UNICEF indicates that these children are more likely than others to suffer from malnutrition, resulting in stunted growth and decreased intellectual development. Both of these factors increase poverty rates and are overall disadvantageous to long-term global economic development.

The Third Committee considered the status of the Convention on the Rights of the Child as it relates to child labor in October 2009. The Committee's main concerns included violations of children's rights in the form of abuse, prostitution, sexual violence and forced labor. The body noted the challenges in asserting children's rights as presented in the 2009 UNICEF report on the subject, and reiterated that education remained a key component to reducing the exploitation of child laborers. While noting that the economic crisis was likely to contribute to an increase in global child labor, the Committee encouraged all states to ratify the CRC and its subsequent optional protocols and integrate protections against child labor into all applicable areas of national policy.

In order to eliminate the worst forms of child labor by 2016, Member States will need to fully adopt the strategies outlined in the 2009 Status of the Convention of the Child Report. These include increasing the quality of education, strengthening physical and social protection of children, promoting cooperation between governmental and non-governmental organizations at the local, national and international levels, and raising awareness on the root causes and effects of child labor. Prioritizing the safety and well-being of children through difficult austerity measures will also be a key determinant as to whether the economic crisis erases the international community's progress on this issue.

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

- What actions can Member States take to support the initiative of technical cooperation aimed at eliminating child labor?
- What are the main causes of the large regional disparities in child labor? What are the actions needed to ensure global consistency?
- In what ways can the international community improve collaborative efforts in order to ensure the most effective use of resources during the current global economic crisis?

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A/RES/62/141
A/RES/61/146
A/RES/60/231
A/RES/54/263
A/RES/S-27/2
A/64/435/CORR.1
A/64/172
A/61/299
A/HRC/13/L.5
GA/SHC/3968
Convention on the Rights of the Child (1990)

Additional Web Resources

- www.ilo.org - International Labour Organization
www.ungift.org - United Nations Global Initiative to Fight Human Trafficking
www.unicef.org - United Nations Children's Fund



THE GENERAL ASSEMBLY SIXTH COMMITTEE: LEGAL

Purview of the Simulation

The General Assembly Sixth Committee addresses issues relating to international law. The Committee not only drafts new international law, but also offers interpretations of existing international law as well as recommendations for members to implement international regulations through national law. The Committee also considers legal issues which affect the United Nations secretariat and operations. The Sixth Committee does not resolve legal disputes; that is the responsibility of the International Court of Justice. For more information concerning the purview of the UN's General Assembly as a whole, see page 20.

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

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

NATIONALITY OF NATURAL PERSONS IN RELATION TO THE SUCCESSION OF STATES

Every person has the right to be a citizen of his or her country. "Natural persons" are defined as actual persons (in contrast to legal entities, such as corporations). The two most common principles in determining nationality are "the law of the soil" and the "law of the blood." Jus soli, the "law of the soil," recognizes citizenship in the country of birth. Jus sanguinis, the "law of blood," recognizes citizenship in the country of the parents. In many cases, nationality can also be acquired by a process of naturalization, and some states confer their citizenship by a simple declaration. However, the nationality of natural and legal persons is affected by the succession of states. "State succession" refers to events such as secession, transfer of part of a state's territory, unification or dissolution. The number of refugees throughout the world shows that states do not always follow international norms for determining and conferring nationality on natural persons. Examples can be found in Israel, the Former Republic of Yugoslavia, Viet Nam, Central and Western Africa, and Iran.

The topic of nationality has been an important part of international discourse ever since mass de-nationalization events were associated with the atrocities of World War II, namely the refugee situations created by the Holocaust. The International Law Commission (ILC) was created in 1947 by the UN General Assembly. Article 15 of the Universal Declaration of Human Rights (UNHR) of 12 December 1948 recognizes that every person has a right to a nationality and that no person should be arbitrarily deprived of their nationality. The Convention on the Reduction of Stateless Persons was adopted in 1954, and the Convention on the Reduction of Statelessness was adopted in 1961. These Conventions affirm that the rights of the stateless person must be protected and place an obligation on ratifying States to eliminate statelessness.

The breakup of the Soviet Union and Yugoslavia in the early 1990s demonstrated that, while the right to nationality may be recognized, a clear framework is needed to protect that right and provide guidance to States. Throughout the 1990s, the International Law Commission (ILC), different working groups, the Secretary-General, Special Rapporteurs, this body, and the General Assembly as a whole all addressed the topic.

In 2000, the General Assembly adopted Resolution A/55/153, which declares that "every individual who, on the date of the succession of

states, had the nationality of the predecessor state, irrespective of the mode of acquisition of that nationality, has the right to the nationality of at least one of the states concerned, in accordance with the present articles." In Resolution A/RES/59/34, the General Assembly re-invited Governments to consider issues of nationality of natural persons in relation to the succession of states. The most recent manifestation of these discussions was A/RES/63/118 which, like earlier resolutions, encourages States to consider the elaboration of legal instruments, regionally or sub-regionally, regulating questions of nationality. This resolution also invites Governments to take into account the draft articles originally submitted by the ILC. These various documents recognize the legitimate interests of the state and the individual and the importance of preventing statelessness. They urge States to enact nationality laws, to respect family unity, and to prohibit discrimination. They also seek to prohibit a predecessor state from withdrawing a person's nationality in certain instances. One of the challenges facing this body is to determine if the ILC's work, found in the annex of A/RES/55/153, could contribute to the elaboration of another instrument in the future.

The continued existence of statelessness and/or the risk of becoming stateless clearly demonstrates that work on mitigating the effects of the succession of states on the nationalization of natural and legal persons is still needed. Although there have been numerous attempts to ensure that every person has an opportunity to obtain a nationality, there has never been an effective, comprehensive convention or other legal document drafted.

The development of human rights laws has imposed new restrictions on the discretionary power of states with respect to nationality. While nationality is essentially governed by domestic law, certain restrictions on the freedom of action of states derive from international law, which therefore has a role to play in this area. The human rights aspect of the topic is particularly highlighted in this respect.

The main function of international law concerning the protection of human rights, in the context of State succession, is to prevent either the detrimental effects of the unjustified withdrawal by the predecessor State of its nationality from certain categories of persons or the unjustified refusal of the successor State to grant its nationality to certain individuals. In contrast, the function of the principle of effective nationality is to control the abusive exercise of the discretionary power of the State to grant its nationality by depriving such nationality of its effects vis-à-vis third-party States.

This body should consider whether the topic should be addressed by general statements of principles and guidelines for future cases of State succession or by legally binding instruments. Article I of the 1930 Convention on Certain Questions relating to the Conflict of Nationality Laws recognized that “It is for each State to determine under its own law who are its nationals. This law shall be recognized by other States insofar as it is consistent with international conventions, international custom, and the principles of law recognized with regard to nationality.” The principle that nationality is determined by internal state law is broadly accepted (A/CN.4/467). Thus, a primary issue is to determine the extent to which international norms can or should constrain this traditional state power. Would a general statement of principles achieve the proper balance, or does the rise of human rights as an international norm justify the codification of legal obligations?

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

- What, if anything, may be done to provide a framework to guide future determinations of nationality in situations of State succession?
- How might any instrument balance the human right to a nationality, the effects of statelessness, the respect for a person’s choice of nationality with the inherent right of each State to determine who its citizens are?
- How can disputes where no states are willing to accept stateless persons be resolved?
- If this body should take further action, what form of action should be taken? Specifically, to what extent should the principles and rules to be drafted constitute binding international law?

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Additional Web Resources

www.un.org/law/ilc/ - International Law Commission
<http://unhcr.org> – UN High Commissioner for Refugees

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

Reform of the United Nations has been on the agenda almost since the organization’s founding in 1945. Created at the height of American power at the dawn of the Cold War, the UN system essentially reflects the balance of power in 1948. The victorious Allies of World War II saw themselves as the only states powerful enough to enforce the global peace and usher in the “end of war” envisioned in the Charter. These circumstances were used to justify the Security Council veto granted to the Permanent Five (P5), their initial monopoly of power in bodies like the Commission on Human Rights and ECOSOC, and the requirement for P5 consensus on changes to the UN Charter. The dynamic established in the 1940s rapidly changed following the explosion in UN membership in the 1960s and 1970s. New African Member States and the rising Non-Aligned Movement sought to change the balance of power and limit the hegemonic power of the P5. The Security Council and ECOSOC were expanded in 1965 (and ECOSOC again in 1973), but since then, change has been limited and sporadic.

Yet the movement for UN reform advanced in other ways. In 1974, the General Assembly established an Ad Hoc Committee on the Charter of the United Nations to review and consider recommendations in regards to making the UN a more effective institution in meeting its goals. In 1975, the General Assembly restructured the Ad Hoc Committee into the Special Committee on the Charter of the United Nations on the Strengthening of the Role of the Organization. The Special Committee considers proposals dealing with the maintenance of international peace and security, the expansion of cooperation between Member States, and the promotion of the rules of international law. Additionally, the Special Committee examines ways of improving the working methods of UN bodies and suggests broader reforms that would not require amending the UN Charter. While the Committee has no permanent mandate, the GA has requested it to reconvene every year since its founding.

Numerous concepts considered part of the modern UN originated in the Special Committee, including the concept of open informal negotiations on resolutions; the goal of consensus on resolutions; and the wide-spread use of fact-finding missions. Some of its past tasks from the Sixth Committee include streamlining the General Assembly negotiation process, setting guidelines for peaceful settlement of disputes, and making suggestions on how to strengthen the GA’s role in peace and security matters.

Other initiatives by the Committee have not been so successful. Sanctions reform has largely languished, and efforts to shape the role of the General Assembly vis-à-vis the Security Council on issues of international peace and security have stalled. While some members of the Non-Aligned Movement continue to advance a more robust role for the General Assembly on peace and security issues in the Special Committee, they have not succeeded in convincing the majority to specify what expanded role is appropriate for the GA.

The Special Committee convened for its annual session from 1-9 March 2010. As instructed by the GA, the Committee continued to consider proposals regarding the maintenance of international peace and security in all its aspects. The Committee also reviewed the provisions of the Charter of the United Nations dealing with the provision of assistance to third-party States (those States not targeted, yet negatively affected by Chapter VII international sanctions). Other items of discussion included the promotion of peaceful settlements of dispute between States, the consideration of proposals to improve the efficiency of the Committee's working methods, and the consideration of proposals passed on from the General Assembly.

In regard to the relationship between the GA and the Security Council on matters of peace and international security, the Special Committee is now considering a proposal by Cuba. It asks the Secretariat to expand the General Assembly's defined jurisdiction in urgent matters of peace and international security. This concept is opposed by permanent members of the Security Council and supported by many members of the Non-Aligned Movement. While its ramifications are unclear, a stronger General Assembly role could provide a stopgap mechanism in the case of inaction by the Security Council. It could, however, also lead to contradictory signals from the UN, weakening the entire UN system's response. The Special Committee has also taken up the discussion of States' unilateral use of force under the broad definition of self-defense. Another paper, submitted by Belarus and the Russian Federation, seeks to clarify the legitimacy of the use of force without Security Council authorization. At the heart of the debate is the U.S. invasion of Iraq in 2003, which lacked Security Council authorization. Currently, the draft paper seeks an International Court of Justice (ICJ) advisory opinion, though it would not be legally binding.

In 2009, the Committee also produced a document laying out principles governing the use of sanctions. Despite malaise expressed by permanent members of the Security Council, the Special Committee will continue its work on the effects of sanctions on third-party states during its 2010 session. While it was widely agreed that sanctions were an important tool of the international system, there was also concern that sanctions could have negative consequences for civilian populations or for third-party States unrelated to the intended target. A working paper from the Russian Federation recommended that future sanctions should have a greater level of transparency to show the specific implications and effects of sanctions. It was suggested that appropriate bodies craft sanctions to include timetables, benchmarks, and other mechanisms aimed at improving the targeting and calibration of sanctions to ensure effectiveness and avoid unintended harm to third parties. Several States support requesting a ruling from the ICJ on the legal consequences of the imposition of sanctions, the imposition of unilateral sanctions in violation of international law, and the responsibility of the UN and the Security Council with regard to unlawful sanctions and harmful consequences upon third-party States and their civilian populations.

With the Secretary General's recent attention on issues arising from the imposition of sanctions and in light of several States' unilateral use of force in the past decade, the Special Committee will continue to place a great deal of importance on these issues. Because of the nature of the Committee, delegations should prepare substantive draft proposals on the reform of the United Nations as if it were emerging from the Special Committee deliberations. Proposals should focus around one of the issues that the Special Committee is currently addressing.

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

- In what ways should the General Assembly take action on issues of peace and security (for example, mediation and dispute-resolution, fact-finding concerning human rights violations, or some other actions)? If the Security Council has discussed an issue but not produced a resolution or statement, does this burden fall to the General Assembly?
- What exceptions exist to the need for Security Council authorization for use of armed force, outside of self-defense? What role should the International Court of Justice play in the promotion of international peace and security? Were armed interventions in Iraq and in the former Yugoslavia illegal?
- What new mechanisms could be suggested to the General Assembly and the Security Council to promote the effectiveness of international sanctions while mitigating negative and unintended consequences for untargeted populations?
- What steps toward these ends can the General Assembly enact without amendments to the UN Charter itself?

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A/65/33
A/64/450
A/64/33(SUPP)
A/64/225
A/64/125
A/63/33 and preceding
A/59/2005
A/AC.182/2000/INF/2
GA/L/3152
GA/L/3137
Charter of the United Nations

Additional Web Resources

- www.globalpolicy.org/un-reform.html - Global Policy Forum, UN Reform
- www.un.org/law/chartercomm/ - Special Committee on the Charter of the United Nations and on the Strengthening the Role of the Organization
- www.un.org/law/repertory/ - Repertory of Practice of United Nations Organs
- www.un.org/Depts/dpa/repertoire/ - Repertoire Of The Practice Of The Security Council
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