

Kennesaw State University High School Model United Nations XXXI
General Assembly First
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Email: ksuhsmun2017@gmail.com

Welcome Delegates,

It is a great pleasure to welcome you to this year's Kennesaw State University High School Model United Nations conference. My name is *Evan Wright*, and it is my honor to serve as your Director in the General Assembly First Committee. In the past, I have had the privilege of attending two regional conferences and one international conference in Oslo, Norway as a delegate. This is my second year with KSUHSMUN, as I served as the Assistant Director of the General Assembly First Committee in 2016. I am currently a sophomore at KSU studying to become a registered nurse. Humanitarianism is my passion, and I plan to use my degree to become an international aid worker through a non-governmental organization (NGO). Joining me at the dais are:

Joining me at the dais is my Assistant Director, *Samuel Brand*. Samuel is a sophomore at KSU, and this is his first year in Model United Nations. He is a double major in International Affairs and Management, and chose them both because he wants to help create strong international bonds. Whether it be for a government or a corporation, he would be happy to work anywhere where he can help others and the world; his heart isn't set on any job in particular.

Serving as Chair and Rapporteur respectively are *Sydnei Church* and *Pearl Kananda*. Sydnei is a Junior at KSU majoring in Computer Science with a minor in International Affairs. He is involved in both Model United Nations and Model European Union. Although he is not an International Affairs major, the subject is something that he is finds very interesting. In the future, he hopes to become a software developer and one day use his skills to start his own company. This will be Pearl's first year doing with KSUHSMUN; she is a sophomore at Kennesaw State. Her major is International Affairs with a minor in French. She wants to bring understanding between feuding countries and or people, so she wants to work in the field of Conflict Resolution as a diplomat or possibly work with the United Nations or another NGO to be the bridge between countries in order to bring peace.

Our Research Assistant is *Patrick Gruber*. Due to his commitments to and participation in Kennesaw State's Model Arab League team, he will unfortunately not be physically present at the KSUHSMUN conference. Nevertheless, he should be introduced here in a few sentences. Patrick is a political science major at KSU and will be graduating in December 2017. He has a passion for all things related to politics, international diplomacy, foreign policy, and political philosophy and works as hard as he can to learn as much as possible. In fact, he was recently named the 2016 distinguished student of the year by The Department of Political Science and International Affairs. His involvement in the Model UN however is new, as this is the first year he has participated.

The Topics under debate for the General Assembly First Committee are:

- I. Nuclear Disarmament**
- II. Ensuring the Protection of Human Rights and Fundamental Freedoms While Fighting Terrorism**

Each Member State delegation within this committee is expected to submit a position paper which covers both of the agenda topics. Delegates are reminded that papers should be no longer than two pages in length, and citations should be in Chicago footnote format. Plagiarism will not be tolerated, and any instances will result in a score of zero. Delegates should also keep in mind that the aim of a position paper is to accurately represent the views, policies, history, and interests of their Member States regarding our two topics. More detailed information on position paper writing can be found at <http://hsmun.hss.kennesaw.edu/>. Please remember to use academic sources and correct grammar! Good luck in your research!

History of the General Assembly First Committee

The General Assembly is one of the six principal organs of the United Nations (UN), established in 1945 with the ratification of the United Nations Charter. The General Assembly is comprised of all 193 UN Member States, and has the power discuss any matter "within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter," and to make recommendations to Member States or the Security

Council regarding those matters.¹ Though these recommendations are only suggestions and are not binding, resolutions put forth by this body often have a strong influence on how Member States act. Primarily, the General Assembly functions to review reports of the Security Council and the Economic and Social Council; advise international political cooperation; foster international cooperation in social, economic, cultural, educational and health fields; and to promote peace between nations.²

Article 22 of the UN Charter gives the General Assembly (GA) the power to establish subcommittees as needed to help it perform its functions. Given the broad and diverse range of topics the GA can cover, they exercised this power to create the following six subcommittees:

- 1st Committee-- Disarmament and International Security;**
- 2nd Committee-- Economic and Financial;**
- 3rd Committee-- Social, Cultural and Humanitarian;**
- 4th Committee-- Special Political and Decolonization;**
- 5th Committee-- Administrative and Budgetary;**
- 6th Committee-- Legal.**³

The GA First Committee is responsible for dealing with disarmament and threats and challenges to peace in the global community. It is charged with creating resolutions to address these challenges and making recommendations for Member States and the Security Council. This committee works closely with the United Nations Disarmament Commission and the Geneva -based Conference on Disarmament to address all matters pertinent to international security and disarmament, including matters within the scope of the Charter, matters pertinent to other organs of the UN, to “the general principles of cooperation in the maintenance of international peace and security,” and matters concerning cooperation in disarmament or regulation of arms.⁴

The GA First committee is often criticized as being ineffective since its resolutions are not binding and cannot be enforced. However, the committee has made a considerable number of achievements since its establishment. The Committee has accomplished treaties that ban biological and chemical weapons through resolutions such as the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (biological) and Toxin Weapons and on their Destruction (A/C.1/65/L.20), and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (A/C.1/65/L.23). It also continues to make progress towards banning nuclear testing and eliminating nuclear weapons altogether.⁵ In its sixty -first session, the committee passed resolutions “condemning surplus weapon stockpiles,” reached an agreement on collaborating to trace black market arms, and worked to build the needed trust between nations to implement necessary measures to make progress.⁶ Finally, significant progress has been made in the disarmament of conventional weapons and small arms, --“banning certain weapons with indiscriminate effects; curbing use of cluster munition and mines; taking action on proliferation of small arms and light weapons, and setting global rules governing the trade in conventional weapons through the recent Arms Trade Treaty.” Several key resolutions addressing conventional weapons were passed in the First Committee’s 65th session.⁷

As pointed out by Mr. Mogens Lykketoft, President of the UN General Assembly, despite these achievements, “a quick look around our world today, also demonstrates very clearly that there remain simply far too many weapons in

¹ Charter of the United Nations, Chapter III, IV <http://www.un.org/en/charter-united-nations/index.html>

² “What We Do: The General Assembly.” United Nations Foundation. <http://www.unfoundation.org/what-we-do/issues/united-nations/the-general-assembly.html?referrer=https://www.google.com/>

³ Ibid.

⁴ “Disarmament and International Security,” General Assembly of the United Nations. <http://www.un.org/en/ga/first/index.shtml>

⁵ “Address to First Committee on Disarmament and International Security,” General Assembly of the United Nations. <http://www.un.org/pga/70/2015/10/15/address-to-first-committee-on-disarmament-and-international-security/>

⁶ “Sixty--first General Assembly,” First Committee of the General Assembly of the United Nations. <http://unchronicle.un.org/artice/sixty-first-general-assembly-first-committee-disarmament-and-international-security>

⁷ Ibid.

circulation – weapons that are fuelling deadly conflicts and incredible instability.”⁸ Unfortunately, as weapons are being eliminated, more are being invented and produced. There are numerous challenges facing the First Committee, hindering progress. It will take “concerted diplomatic efforts combined with renewed political will” to face them.⁹ We implore you to always keep in mind the duties and mission of the First Committee as you conduct your research, as well as its accomplishments and challenges. As you tackle the topics under discussion and search for solutions, find innovative ways to address the challenges the First Committee has been facing. Again, use this information and the sources provided as a guide, but you must go much more in depth to have truly effective debate and negotiations. Good luck in your research!

I. Nuclear Disarmament

“We believe that the potential effects from the use of weapons of mass destruction – especially nuclear weapons – demand their elimination. We believe that the very possession of such weapons necessarily entails risks of use. We shall work therefore to assist the UN, its Member States and civil society in efforts to eliminate such arms.”

- United Nations Office For Disarmament Affairs¹⁰

“The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and regulation of armaments...”

- Article 11 of the UN Charter¹¹

Introduction

Nuclear weapons have the destructive potential to completely eradicate human life.¹² Their destructive potential has increased over time as nuclear technology has advanced, stockpiles have increased, and the weapons themselves have been developed by several additional Member States.¹³ Because nuclear weapons have the potential to cause an existential crisis for the entire human race as well as radically alter the scales of war and peace, the United Nations is an important arena for all international discussions regarding nuclear weapons and related nuclear technology. This includes the peaceful development of nuclear energy,¹⁴ nuclear non-proliferation,¹⁵ peaceful resolutions to nuclear crises,¹⁶ and nuclear disarmament.¹⁷

The United Nations General Assembly is tasked within the founding charter of the United Nations with not only maintaining the peace of the world, but also creating a governing framework for a disarmament of weapons-including nuclear weapons.¹⁸ This awesome responsibility is primarily coordinated through The United Nations Office for Disarmament Affairs¹⁹ working in coordination with the General Assembly. The General Assembly remains the key stage for decisive action regarding the status of international nuclear disarmament. In the setting of the General Assembly the Member States of the world, working in accord with the directives of the United Nations Office for Disarmament Affairs and the principles of the Charter of the United Nations, have the opportunity to take

⁸ Mogens Lykketoft, “2005, 10/15 Address to the General Assembly of the United Nations,”

<http://www.un.org/pga/71/2015/10/15/address-to-first-committee-on-disarmament-and-international-security/>

⁹ Ibid.

¹⁰ “Vision,” United Nations Office for Disarmament Affairs. <https://www.un.org/disarmament/vision/>

¹¹ “United Nations Charter,” United Nations. <http://www.un.org/en/sections/un-charter/chapter-iv/index.html>

¹² David Krieger, “Nuclear Weapons present a real and present Danger to Humanity and Life on Earth,” *Global Research*. <http://www.globalresearch.ca/nuclear-weapons-present-a-real-and-present-danger-to-humanity-and-life-on-earth/18359>

¹³ Ibid.

¹⁴ International Atomic Energy Agency. <https://www.iaea.org/>

¹⁵ “Treaty on the Non-Proliferation of Nuclear Weapons,” United Nations Office for Disarmament Affairs. <https://www.un.org/disarmament/wmd/nuclear/npt/>

¹⁶ “Disarmament and National Security,” United Nations General Assembly. <http://www.un.org/en/ga/first/>

¹⁷ Ibid.

¹⁸ “The UN Charter,” The United Nations. <http://www.un.org/en/charter-united-nations/>

¹⁹ “Disarmament,” United Nations. <https://www.un.org/disarmament/>

decisive and historic steps towards a world that is free of nuclear weapons and removed from the possibility of a destructive and potentially extinctive nuclear war.

History

The year 1945 was monumental in its importance to the history of the world. In addition to the end of World War Two, the most destructive conflict humanity has ever experienced, and the formation of the United Nations, it also marked the first successful construction and use of a nuclear weapon.²⁰ The contradictions of the modern world were exhibited in the simultaneous emergence of the greatest global peacekeeping organization in history as well as the most destructive weapon of war ever devised. In acknowledgement of the emergence of the nuclear age, the very first resolution of the United Nations General Assembly was passed.²¹ 24 January 1946, The United Nations established the Atomic Energy Commission in order to “deal with the problems raised by the discovery of atomic energy.”²² At this time only the United States possessed nuclear weapons and the world was anxious to prevent their spread and continuance.

In that vein, during the first meeting of the United Nations Atomic Energy Commission (UNAEC) in June 1946, the United States submitted a proposal entitled the “Baruch Plan”²³ which intended to eliminate America’s nuclear weapons and establish an international system for the peaceful control of atomic energy.²⁴ Unfortunately, this important moment did not result in nuclear disarmament. The Soviet Union, in the process of developing its own weapons program, did not agree to the plan.²⁵ This resulted in extreme setbacks to the process of nuclear disarmament. The Soviet Union, followed by other permanent Member States on the United Nations Security Council, developed their own nuclear weapons²⁶ and the United Nations Atomic Energy Commission was disbanded.²⁷ In the tense Cold War situation that followed, the world became embroiled in a seemingly perpetual nuclear standoff.

After these original failures at nuclear disarmament, several Member States came together in 1957 to form the International Atomic Energy Agency.²⁸ The agency was formed separately from the United Nations, but it was placed within the United Nations organizational authority or “family.”²⁹ Although the agency was established to prevent further militarization of atomic material, its main purpose was the promotion of peaceful nuclear energy use rather than nuclear disarmament.³⁰ Further impetus would have to wait until after the Cuban Missile Crisis during which the world came closer to nuclear war than ever before.³¹ In the aftermath of the crisis, the increasing unease surrounding nuclear weaponry resulted in a Partial Nuclear Test Ban Treaty between several prominent Member States in 1963.³² A much deeper dialogue between the world’s two biggest nuclear powers—the United States and

²⁰ “The bombing of Hiroshima and Nagasaki,” Campaign for Nuclear Disarmament. <http://www.cnduk.org/campaigns/global-abolition/hiroshima-a-nagasaki>

²¹ “Resolutions Adopted on the Reports of the First Committee” United Nations. <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/032/52/IMG/NR003252.pdf?OpenElement>

²² Ibid.

²³ “The Acheson–Lilienthal & Baruch Plans,” United States State Department. 1946

²⁴ Greville Rumble, “The Politics of Nuclear Defence – A Comprehensive Introduction (1st ed.),” Cambridge: Polity Press. pp. 285 (8–9, 219).

²⁵ McGeorge Bundy, “Danger and Survival: Choices About the Bomb in the First Fifty Years,” (New York, Vintage Books, 1988), pp. 176–184.

²⁶ Volha Charnysh, “A Brief History of Nuclear Proliferation,” *Nuclear Age Peace Foundation*. http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/proliferation/Proliferation_History.pdf

²⁷ “United Nations Atomic Energy Commission stalls out,” National Security Complex. <https://www.y12.doe.gov/sites/default/files/history/pdf/articles/08-06-12.pdf>

²⁸ “History” International Atomic Energy Agency. <https://www.iaea.org/about/overview/history>

²⁹ Ibid.

³⁰ “The Statute of the IAEA,” International Atomic Energy Agency. <https://www.iaea.org/node/9642>

³¹ “The Cuban Missile Crisis at 50,” The National Archives. <https://www.archives.gov/publications/prologue/2012/fall/cuban-missiles.html>

³² “Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space, and Underwater,” United Nations Office for Disarmament Affairs. http://disarmament.un.org/treaties/t/test_ban

the Soviet Union, and later between the United States and the Russian Federation—regarding nuclear weapons produced a total of 7 treaties limiting weaponry and mutual capabilities between 1972 and 2010.³³

The most substantial development from this period was the Treaty on the Nonproliferation of Nuclear Weapons (NPT)³⁴ which remains the most important and successful treaty regarding nuclear weapons and disarmament in existence. In 1968, faced with the possibility of an endless proliferation of nuclear weapons to a large number of states, Member States from around the world—both nuclear and non-nuclear—crafted the NPT as a definite way to prevent the further dispersion of weaponry. The treaty limits the possession of nuclear weapons to the Permanent Members of the United Nations Security Council, while providing for assistance to any state that desires to use nuclear technology for peaceful purposes. One author described the central point of the treaty by explaining: “the NPT non-nuclear-weapon states agree never to acquire nuclear weapons and the NPT nuclear-weapon states in exchange agree to share the benefits of peaceful nuclear technology and to pursue nuclear disarmament aimed at the ultimate elimination of their nuclear arsenals.”³⁵ Although the track record of adherence to the agreement has not been perfect, it greatly limited the spread of nuclear weapons, created a framework for opposing proliferation, and, most importantly for our purposes, it pushed nuclear weapon possessing Member States towards the eventual goal of disarmament for the first time.

Article VI of the Nonproliferation treaty states, “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.”³⁶ Despite this commitment, a treaty on the complete disarmament regarding nuclear weapons has remained elusive. A Comprehensive Nuclear-Test-Ban-Treaty was negotiated in 1996 but has been unable to enter into force due to inaction by nuclear powers.³⁷

After the dissolution of the Soviet Union in 1991 and the resulting end of the Cold War, many renewed hope that talks over complete disarmament could finally begin. Numerous positive steps were taken during this time. Most importantly, the Secretariat of the United Nations established the United Nations Office for Disarmament Affairs in order to promote and coordinate disarmament in a focused manner as a key goal of the United Nations as a whole.³⁸ Other successes included the voluntary disarmament of South Africa’s nuclear weapon program,³⁹ as well as the consolidation of Soviet nuclear weapons within the Russian Federation.⁴⁰ Despite these positive developments, many of the highest hopes were not achieved and much of the disappointment was renewed as North Korea developed nuclear weaponry.⁴¹

Situation Today

In addition to the five recognized nuclear-weapon-possessing states of the Nonproliferation treaty,⁴² India, Pakistan, and North Korea now also possess nuclear weapons.⁴³ Israel is thought to also possess nuclear weapons but has

³³ “U.S.-Russia Nuclear Arms Control Agreements at a Glance,” Arms Control Association. <https://www.armscontrol.org/print/2556>

³⁴ “Treaty on the Non-Proliferation of Nuclear Weapons,” United Nations Office for Disarmament Affairs. <https://www.un.org/disarmament/wmd/nuclear/npt/>

³⁵ Thomas Graham Jr., “Avoiding the Tipping Point,” *Arms Control Association*.

³⁶ “Treaty on the Non-Proliferation of Nuclear Weapons,” International Atomic Energy Agency. <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infcirc140.pdf>

³⁷ “Comprehensive Nuclear-Test-Ban Treaty,” United Nations Office for Disarmament Affairs. <https://www.un.org/disarmament/wmd/nuclear/ctbt/>

³⁸ “About us,” United Nations Office for Disarmament Affairs. <http://www.un.org/disarmament/about/>

³⁹ “Disarmament South Africa,” The Nuclear Threat Initiative. <http://www.nti.org/analysis/articles/south-africa-nuclear-disarmament/>

⁴⁰ “The Lisbon Protocol at a Glance,” Arms Control Association. <https://www.armscontrol.org/print/3289>

⁴¹ “North Korea,” The Nuclear Threat Initiative. <http://www.nti.org/learn/countries/north-korea/>

⁴² “Treaty on the Non-Proliferation of Nuclear Weapons,” United Nations Office on Disarmament Affairs. <https://www.un.org/disarmament/wmd/nuclear/npt/>

⁴³ “Nuclear Arsenals,” International Campaign to Abolish Nuclear Weapons. <http://www.icanw.org/the-facts/nuclear-arsenals/>

never openly declared it.⁴⁴ These four additional states, along with recently independent South Sudan, are the only states that are not parties to the NPT, which continues to have more adherents than any other arms treaty.⁴⁵ Despite the relevant clauses in the treaty, progress towards a real path of universal nuclear disarmament seems very remote.⁴⁶ In 2008, in hopes of kickstarting the process, Secretary General of the United Nations Ban Ki Moon released a five point proposal urging the relevant parties to begin negotiations aimed toward creating a path to total disarmament.⁴⁷ The efforts of a controversial international summit regarding nuclear disarmament hosted by Iran in 2010 failed because it did not include participation by the United States.⁴⁸ Continued frustration due to the lack of progress towards nuclear disarmament prompted the Marshall Islands to file suit against all nine nuclear powers for allegedly violating the treaty by not progressing towards disarmament in 2014.⁴⁹ International negotiations aimed at disarmament have still not commenced.

Conclusion

Nuclear disarmament is one of the most important topics that the General Assembly could possibly discuss. Along with Climate Change, it is one of the only topics that poses an existential threat to the survival of the human species. As aforementioned, the United Nations has been attempting to wrestle with the problem of nuclear weapons since it was founded over half a century ago. In that time there have been numerous setbacks and defeats in that effort, as well as many surprising victories. As the world continues to grow through the technological age, we have never had a better opportunity to begin working towards real disarmament. Whether this happens or not, in large measure, will be decided within the United Nations itself.

Committee Directives

One of the top priorities for the General Assembly must be to create conditions that would allow genuine talks regarding nuclear disarmament to finally occur in accordance with the Treaty of Non-Proliferation. Each Member State should consider what stake they have in this discussion and why or why not they would allow this to occur. Of special concern is the convincing of nuclear armed states to come to the table, as any discussion regarding disarmament among Member States that do not possess nuclear weapons would have no effect. Delegates should ask themselves: How can we provide a framework for the abolishment of nuclear weapons that won't create a climate of radical uncertainty? How can we ensure that after disarmament, other Member States won't take advantage of the climate to develop weapons and possess them in a monopoly? Are the currently existing international organizations equipped to deal with something as widespread as universal disarmament? How do we create incentives for nuclear powers to discuss disarming?

The General Assembly should take note of the recent Iranian nuclear agreement, nuclear development in North Korea, and the disarmament of South Africa and look for ways in which to use these developments to further the goal of disarmament. Delegates should ask themselves: What steps can we take to create a global climate in which Member States are not motivated to create nuclear weapons? Would further protections of state sovereignty lower the temptation to create such weapons? Is there any way for the North Korean nuclear program to be ended peacefully? What role does the UN have in ensuring the Iranian nuclear deal is a success and what more could we do towards that end?

⁴⁴ Ibid.

⁴⁵ "Treaty on the Non-Proliferation of Nuclear Weapons," United Nations Office of Disarmament Affairs.

⁴⁶ Article IV, Ibid.

⁴⁷ Ban-Ki-Moon, "The Secretary-General's five point proposal on nuclear disarmament," *United Nations Office for Disarmament Affairs*. <https://www.un.org/disarmament/wmd/nuclear/sg5point/>

⁴⁸ Mahmoud Ahmadinejad, "Statement Before the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons," Islamic Republic of Iran Permanent Mission to the United Nations. http://www.un.org/en/conf/npt/2010/statements/pdf/iran_en.pdf

⁴⁹ Scott Neuman, "Pacific Island Nation Sues U.S., Others For Violating Nuclear Treaty," *National Public Radio* <http://www.npr.org/sections/thetwo-way/2014/04/24/306540808/pacific-islands-sue-u-s-others-for-violating-nuclear-treaty>

II. Ensuring the Protection of Human Rights and Fundamental Freedoms While Countering Terrorism

“We resolve to undertake the following measures, reaffirming that the promotion and protection of human rights for all and the rule of law is essential to all components of the Strategy, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism...”

-Pillar IV of the United Nations Global Counter-Terrorism Strategy⁵⁰

Introduction

As terrorism continues to threaten the security and lives of people across the globe, the international community is obligated to coordinate efforts to end the bloodshed. However, a number of complications in the fight against terrorism have resulted in unnecessary violations of basic human rights. Overreaching military or judicial systems, lack of legal framework, and inability to obtain consensus on legal definitions have both obstructed the fight against terrorism, and the protection of human rights.

The goals of terror groups are often to bring about political and cultural change, but frequently target and abuse the rights and lives of civilians. For the purpose of this document, use of the word “terrorism” refers to aggression committed by a non-state actor for the purpose of undermining an established government by inciting widespread fear among its populace. This incitement of fear frequently takes the form of indiscriminate violence. Counterterrorism efforts aim to halt and prevent acts of terror, but also frequently abuse the rights of noncombatants. Common abuses include torture and inhumane treatment, arbitrary detention based on overreaching surveillance, and racial or ethnic discrimination.

Article 4 of the Universal Declaration of Human Rights (UDHR) declares that “Everyone has the right to life, liberty, and the security of person.”⁵¹ This landmark document set the tone for all future humanitarian initiatives, and remains an important reference point for global leaders and NGOs when addressing humanitarian concerns. The regulations set by the Universal Declaration of Human Rights are inherent to all human beings regardless of race, sex, nationality, ethnicity, and religion; therefore, the UDHR also applies to both victims of terrorism, and people accused of committing acts of terror.⁵² Unfortunately, human rights are all too often neglected in the fight against terrorism. With large scale anti-terror conflicts becoming more severe in Syria, Iraq, Nigeria, Afghanistan, and several other arenas, the importance of this issue demands action from the United Nations.

Defining Terrorism

Perhaps the most pertinent facet of this issue is reaching consensus on a legal definition of terrorism.⁵³ For years, the international community has struggled to procure a legal definition of the word “terrorism.”⁵⁴ This conundrum has proved to be a severe hindrance on Member States’ ability to fight and prevent terrorism, and has allowed Member States to bypass international humanitarian law.

⁵⁰ “Promoting and Protecting Human Rights and the Rule of Law While Countering Terrorism,” Counter Terrorism Implementation Task Force. <https://www.un.org/counterterrorism/ctif/en/promoting-and-protecting-human-rights-and-rule-law-while-countering-terrorism>

⁵¹ “Universal Declaration of Human Rights,” The United Nations. <http://www.un.org/en/universal-declaration-human-rights/>

⁵² Alex Chung, “Human Rights and Terrorism: a Comparative Security Analysis,” *E-International Relations*. <http://www.e-ir.info/2015/11/25/human-rights-and-terrorism-a-comparative-security-analysis/>

⁵³ Frank Virostko, Connie de la Vega, “Counter Terrorism and Human Rights,” *Human Rights Advocates*. http://www.humanrightsadvocates.org/wp-content/uploads/2010/05/HRC13_Counter-terrorism_and_Human-Rights.pdf

⁵⁴ Ibid.

The UN's failure to define terrorism is a significant roadblock on the path to holistic international efforts to protect fundamental human rights in anti-terrorism efforts. Since there is no UN sanctioned definition of terrorism, Member States may create their own broad and overreaching definitions that criminalize actions that are unrelated to terrorism, or allow governments to persecute certain groups of people.⁵⁵

For example, the highly concerning complexities of the conflict in Syria are partly due to there being no universal definition of terrorism.⁵⁶ Many of the several factions involved in the conflict such as the Nusra Front, Free Syrian Army, the Houthis, elements of the Syrian Government Forces, and countless others have been labeled as terrorists by some Member States, while being supported militarily by other Member States.⁵⁷ The confusion over which groups are actually proponents of terror has led to the bombing and persecution of innocents, and has prolonged the Syrian conflict.

To further exacerbate the problem, some Member States have created their own terminology outside the realm of international law. The United States, for example, designated terror suspects and detainees as "enemy-combatants" in order to claim that human rights do not apply to them during the War on Terror.⁵⁸ This has resulted in the unlawful detention and torture of several innocents.⁵⁹ These attempts at the justification of human rights abuses, paired with the added complication of differing definitions in the midst of international counterterrorism efforts, highlight the dire need for a cohesive and effective legal definition of terrorism.

The ongoing debate concerning the definition of terrorism is subject to numerous proposals and opinions. Some Member States have pushed for the inclusion of "state terrorism" in the definition,⁶⁰ while others have argued against the inclusion of "state terrorism" citing the copious amount of attention state terrorism has received from separate UN documents.⁶¹ Several Member States argue strongly that any definition of terrorism should avoid criminalizing people's right to self-determination. This means not including certain revolutionary groups, or groups seen in a favorable light by Member States in the concept of terrorism. Other Member States argue the opposite by pointing out the humanitarian abuses committed by some revolutionary groups.⁶² Much of the debate is centered around the word "comprehensive".⁶³ Most uses of the word "comprehensive" in the definition would declare all forms of violence against noncombatants as terrorism, and several Member States argue that this would infringe on people's right to self-determination and would criminalize too broad a spectrum of groups. To make real progress on the issue of human rights protection, Member States must find a way to concretely define terrorism while addressing all of their various desires and concerns. The task of reaching consensus, although it appears to be an impassable barrier, must absolutely be completed for the betterment of humankind.

⁵⁵ Christian Walter, "Defining Terrorism in National and International Law," *United Nations Office on Drugs and Crime*. https://www.unodc.org/tldb/bibliography/Biblio_Terr_Def_Walter_2003.pdf

⁵⁶ "How Does Russia Define Terrorism in Syria?," Alarabiya News. <http://english.alarabiya.net/en/webtv/reports/2015/10/01/The-differences-in-defining-terrorism-in-Syria-between-Russia-and-U-S.html>

⁵⁷ Ibid.

⁵⁸ "Illusion of Justice," Human Rights Watch. <https://www.hrw.org/report/2014/07/21/illusion-justice/human-rights-abuses-us-terrorism-prosecutions>

⁵⁹ Ibid.

⁶⁰ Martin Scheinin, "Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Addendum: Mission to the United States," *United Nations General Assembly*. (A/HRC/6/17) <http://www.ohchr.org/EN/Issues/Terrorism/Pages/Annual.aspx>

⁶¹ Frank Virostko, Connie de la Vega, "Counter Terrorism and Human Rights," *Human Rights Advocates*. http://www.humanrightsadvocates.org/wp-content/uploads/2010/05/HRC13_Counter-terrorism_and_Human-Rights.pdf

⁶² Ibid.

⁶³ Martin Scheinin, "Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. Addendum: Mission to the United States," *United Nations General Assembly*. (A/HRC/6/17) <http://www.ohchr.org/EN/Issues/Terrorism/Pages/Annual.aspx>

Existing structures

The 2006 UN Global Counter-Terrorism Strategy was unanimously adopted by the United Nations General Assembly in resolution (A/RES/60/288).⁶⁴ This document serves as an incredibly important device in international efforts to combat terrorism. All Member States of the General Assembly have agreed to adopt its tenants and guidelines. Pillar IV of the Global Counter Terrorism Strategy extensively deals with the protection of human rights. In addition to pillar IV and several specific clauses regarding recommendations to protect human rights, A/RES/60/288 addresses the unresolved issue of defining terrorism by “*reaffirming* Member States’ determination to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism, including by resolving the outstanding issues related to the legal definition and scope of the acts covered by the convention, so that it can serve as an effective instrument to counter terrorism.”⁶⁵ This resolution is a powerful representation of every Member States’ unwavering commitment to the suppression of violent terrorism, and of their full intentions to support humanitarianism. However, while A/RES/60/288 is an essential step towards progress, the individual and collective efforts of Member States to adhere to these guidelines must be further encouraged.

The Counter-Terrorism Committee (CTC) was established by United Nations Security Council resolution (UNSCR) 1373 in 2001.⁶⁶ UNSCR 1373 lays the parameters of the CTC, and calls upon Member States to: “take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum seeker has not planned, facilitated or participated in the commission of terrorist acts.”⁶⁷ The CTC is responsible for aiding and advising Member States in their fights against terrorism, and lays heavy emphasis on helping Member States to protect the human rights of their own citizens. The CTC accomplishes this by advising world leaders on the most efficient and effective ways to strengthen the legal and institutional framework of each individual Member State in regards to combatting terrorism. Upon request by Member States, the CTC will conduct country visits and report extensively on the recommended measures to prevent terrorism and human rights abuses by their counterterrorism forces.⁶⁸ The humanitarian focus of the CTC has proved to be an integral tool for all Member States in the protection of human rights when combatting terror.

The Counter-Terrorism Implementation Task Force (CTITF) fills a role quite similar to the CTC. The CTITF focuses on the actual creation and implementation of legal framework needed to streamline counter-terrorism efforts by Member States.⁶⁹ Regarding the protection of human rights, the CTITF has established a working group (Working Group on Promoting and Protecting Human Rights and Rule of Law While Countering Terrorism) with the mandate of upholding pillar IV of the UN Global Counter-Terrorism Strategy. This working group conducts the training of counterterrorism authorities, and directly advises Member States on detention practices, proper use of force, and on establishing transparent anti-terror legal framework.⁷⁰

Committee Directives

It is the duty of this body to promote the protection of human rights and fundamental freedoms in the anti-terrorism efforts of individual Member States and in open conflict zones around the world. While the United Nations has made many efforts to address this issue in the past, preventable human rights violations are still being committed at an alarming rate by several entities. It is highly recommended that delegates thoroughly read A/RES/60/288 and UNSCR 1373 (2001), 1456 (2003), 1566 (2004), and 1624 (2005) in order to fully grasp the already established

⁶⁴ “The United Nations Global Counter-Terrorism Strategy,” United Nations General Assembly. <https://www.un.org/counterterrorism/ctitf/en/ares60288>

⁶⁵ Ibid.

⁶⁶ “About Us,” Security Council Counter-Terrorism Committee. <http://www.un.org/en/sc/ctc/aboutus.html>

⁶⁷ “Protecting Human Rights While Countering Terrorism,” Security Council Counter Terrorism Committee. <http://www.un.org/en/sc/ctc/rights.html>

⁶⁸ Ibid.

⁶⁹ “Promoting and Protecting Human Rights and the Rule of Law While Countering Terrorism,” United Nations Counter-Terrorism Implementation Task Force. <https://www.un.org/counterterrorism/ctitf/en/promoting-and-protecting-human-rights-and-rule-law-while-countering-terrorism>

⁷⁰ Ibid.

parameters of human rights protection while combatting terrorism. Comprehension of these documents is necessary to avoid repetition, and is absolutely crucial to moving forward on this issue.

When researching national policies, delegates should consider their Member State's stance on how terrorism should be defined, and how to go about reaching an international consensus. Delegates should ask themselves "How has my Member State gone about fighting terrorism? What are the aims of my Member State's counter-terrorism efforts? What level of emphasis have we actually put on preserving human rights? Has my Member State made any significant efforts to protect human rights while fighting terrorism? If not, what are the reasons? In what ways can the General Assembly better safeguard human rights while combating terror? Do existing structures in the UN operate to full effect, or can they be improved? What, if any, new structures or guidelines should be set in place? How could individual Member States be better encouraged to take precautions when pursuing terrorists?"

Research Directory

As you begin researching your topics and writing your position papers, the below resources will provide you with basic information, and help you begin your research. Please remember to use quality sources. Good luck!

General Links:

General Assembly First Committee website: <http://www.un.org/en/ga/first/>

KSU HSMUN website: <http://hsmun.hss.kennesaw.edu/>

I. Nuclear Disarmament

Non-proliferation Treaty: More information about the NPT. <https://www.un.org/disarmament/wmd/nuclear/npt/>

Nuclear Age Peace Foundation: an in-depth overview of nuclear proliferation in the world.
http://www.nuclearfiles.org/menu/key-issues/nuclear-weapons/issues/proliferation/Proliferation_History.pdf

United Nations Office of Disarmament Affairs: Learn more about the structure and functions of the UNODA.
<https://www.un.org/disarmament/about/>

International Atomic Energy Agency: Same as above, but about the IAEA
<https://www.iaea.org/>

Nuclear Threat Initiative: More detailed information on the unique disarmament situation in North Korea
<http://www.nti.org/learn/countries/north-korea/>

II. Ensuring the Protection of Human Rights and Fundamental Freedoms while Countering Terrorism

Counter-Terrorism Implementation Task Force: Learn more about what the CTITF is, and what exactly it does.
<https://www.un.org/counterterrorism/ctitf/en/promoting-and-protecting-human-rights-and-rule-law-while-countering-terrorism>

Counter-Terrorism Committee: Same as above, but about the CTC <http://www.un.org/en/sc/ctc/aboutus.html>

Human Rights Advocates: This report is a great and thorough resource to learn about the situation as a whole.
http://www.humanrightsadvocates.org/wp-content/uploads/2010/05/HRC13_Counter-terrorism_and_Human-Rights.pdf

Human Rights Watch: Here you can find out more about human rights abuses while combatting terrorism that the United States is accused of. <https://www.hrw.org/report/2014/07/21/illusion-justice/human-rights-abuses-us-terrorism-prosecutions>

United Nations Office of Drugs and Crime: For a complete view of the debate to define terrorism, https://www.unodc.org/tldb/bibliography/Biblio_Terr_Def_Walter_2003.pdf

Office of the United Nations High Commissioner of Human Rights: There is a good amount of background information starting at about page 20. <http://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf>