



NMUN • NY

# GENERAL ASSEMBLY SECOND COMMITTEE

## BACKGROUND GUIDE 2011

WRITTEN BY: Sameer Kanal, Ricardo Lé, Sabrina Grover and Beatrice Soler



NMUN • NY  
NATIONAL MODEL UNITED NATIONS  
nmun.org

## CONTACT THE NMUN

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

NMUN Director-General (Sheraton)  
Holger Baer | [dirgen@nmun.org](mailto:dirgen@nmun.org)

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

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NMUN Secretary-General  
Ronny Heintze | [secgen@nmun.org](mailto:secgen@nmun.org)

### NMUN•NY 2011 Important Dates

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

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

## POSITION PAPER INSTRUCTIONS

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

### 1. TO COMMITTEE STAFF

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

### 2. TO DIRECTOR-GENERAL

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

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

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

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

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

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

nmun.org  
for more information

### COMMITTEE

### EMAIL - SHERATON

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

### COMMITTEE

### EMAIL - MARRIOTT

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

### OTHER USEFUL CONTACTS

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

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Dear Delegates,

Welcome to the National Model United Nations 2011! We are very pleased to be serving as your Directors and Assistant Directors for the General Assembly Second Committees at the Sheraton and Marriott Venues this spring.

We would like to introduce ourselves, as we will be your first contacts for any questions or suggestions relating to this committee. Sheryn Barham, returning to NMUN for her first year as a Director, holds a Bachelor of Arts degree in International Relations and a Minor in Political Science from Universidad San Francisco de Quito. She currently serves as a full-time intern at the United Nations Department of the Ecuadorian Ministry of Foreign Affairs. Sabrina Grover is returning to NMUN for the second year as an Assistant Director. She is currently in her fourth year at the University of Calgary in Alberta, Canada completing a Bachelor of Arts in Political Science and Economics. Ricardo Lé, returning to NMUN for his fourth year as a director, holds a Bachelor of Science in Life Sciences and Economics from the University of British Columbia in Vancouver, Canada. He currently lives in Brisbane, Australia while working towards a Master of Health Economics at the University of Queensland. Beatrice Soler holds a Bachelor of Arts in Political Science and a Bachelor of Arts in International Studies from Georgia Southern University. She is currently at Georgia Southern working on her Master of Public Administration.

This year's topics are:

- I. Ensuring Developing Countries' Sovereignty Over Their Natural Resources;
- II. External Debt and Development: Towards a Durable Solution to the Debt Problems of Developing Countries; and
- III. Promoting Sustainable Development Practices in Transnational Corporations

The General Assembly Second Committee facilitates discussion on international economic and financial issues as Member States attempt to find solutions to pressing international issues. Delegates should utilize available resources widely and maintain an internationally diverse outlook on the topics. This requires an extensive knowledge of the role of the committee along with an understanding of the financial and social consequences of economic decision-making. The background guide is meant to help you develop a basic understanding of the topics and provide you with a starting point for your future research; it is not designed to serve as your only source of information.

Every delegation is required to submit a position paper prior to attending the conference. NMUN will accept position papers via email by March 15, 2010 Eastern Standard Time (GMT-5). Please refer to the message from your Directors-General explaining NMUN's position paper requirements and restrictions, as adherence to these guidelines is of utmost importance.

Your experience in the General Assembly Second Committee will be a challenging but rewarding experience. Please do not hesitate to direct any questions toward your respective Directors. We look forward to meeting you in New York in Spring!

Sincerely,

*Sheraton Venue*

Sheryn Barham

Director

Sabrina Grover

Assistant Director

[ga2nd.sheraton@nmun.org](mailto:ga2nd.sheraton@nmun.org)

*Marriott Venue*

Ricardo Lé

Director

Beatrice Soler

Assistant Director

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

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

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

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

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

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

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

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2010. Delegates should carbon copy (cc:) themselves as confirmation of receipt.

2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: [positionpapers.sheraton@nmun.org](mailto:positionpapers.sheraton@nmun.org) or [positionpapers.marriott@nmun.org](mailto:positionpapers.marriott@nmun.org). This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference.

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

**PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COMMITTEE, ASSIGNMENT AND DELEGATION NAME (Example: AU\_Namibia\_University of Caprivi)**

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

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

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

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

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

Sincerely yours,

*Sheraton Venue*  
Holger Baer  
Director-General  
[holger@nmun.org](mailto:holger@nmun.org)

*Marriott Venue*  
Brianna Johnston-Hanks  
Director-General  
[briannaj@nmun.org](mailto:briannaj@nmun.org)

## Sample Position Paper

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

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*Delegation from*  
Canada

*Represented by*  
(Name of College)

### *Position Paper for General Assembly Plenary*

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

#### **I. Breaking the link between Diamonds and Armed Conflict**

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

#### **II. The Promotion of Alternative Sources of Energy**

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

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

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

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



## History of the General Assembly Second Committee

*“With all the defects, with all the failures that we can check up against it, the U.N. still represents man’s best-organized hope to substitute that conference table for battlefield.”<sup>1</sup>*

### **Introduction**

The United Nations originated in 1945 after World War II as a result of the United Nations Conference on International Organizations.<sup>2</sup> The purpose of this entity is consensus building through international cooperation to solve economic, social and cultural global problems while continuing respect for human rights as well as fundamental freedoms without discrimination pertaining to race, sex, language or religion.<sup>3</sup> As stated in Chapter III, Article 7 of the United Nations Charter, “there are established as principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice and a Secretariat.”<sup>4</sup> The organs of the United Nations are able to create solutions for global issues that in turn affect countries around the world.<sup>5</sup> In order to continue the promotion of international cooperation, the General Assembly makes recommendations to develop international law, and establish progressive consensus building on social, cultural, economic issues.

Article 22 of Chapter IV of the Charter of the United Nations asserts that the General Assembly may create subsidiary organs as deemed necessary to achieve the functions of the United Nations General Assembly. The creation of six main subsidiary committees to conduct meetings that specialize in various topics and ultimately report to the General Assembly was then initiated.<sup>6</sup>

The subsidiary committee are as follows; “first Committee (Disarmament and International Security Committee, Second Committee (Economic and Financial Committee, Third Committee (Social, Humanitarian and Cultural Committee), Fourth Committee (Special Political and Decolonization Committee), Fifth Committee (Administrative and Budgetary Committee), Sixth Committee (Legal Committee).”<sup>7</sup>

### **General Assembly Second Committee (Economic and Financial)**

The General Assembly Second Committee was created to focus specifically on economic and financial topics delegated to it by the General Assembly Plenary.<sup>8</sup> The voting structure, set up as the General Assembly Plenary, allows each Member State only one vote.<sup>9</sup> Currently, H.E. Ms. Enkhsetseg of Mongolia is the Chairman of the Economic and Financial Committee.<sup>10</sup> Within this committee, issues relating to the economic growth and policy, the eradication of poverty, financial and sustainable development as well as information and communication technology that contribute to overall development are included in discussions.<sup>11</sup> In addition, the Second Committee considers issues that pertain to the permanent sovereignty of the Palestinian People, which includes East Jerusalem and the Arab population occupying the Syrian Golan.<sup>12</sup>

In the 64<sup>th</sup> Session, the eradication of poverty and other development issues were discussed as part of the agenda.<sup>13</sup> For example, the draft resolution for Legal empowerment of the poor and eradication of poverty was proposed to the General Assembly to give priority to the eradication of poverty and additional support to developing countries with the promotion of legal empowerment through adequate financial resources or technical assistance.<sup>14</sup> In addition,

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<sup>1</sup> *Act of Creation*, Stephen Schlesinger, p.287

<sup>2</sup> United Nations, Audiovisual Library of International Law, 2008 and United Nations, Charter of the United Nations, 1945, Introductory Note

<sup>3</sup> United Nations, Charter of the United Nations, 1945, Chapter III Article 7

<sup>4</sup> United Nations, Audiovisual Library of International Law, 2008

<sup>5</sup> United Nations, Charter of the United Nations, 1945, Chapter IV Article 13

<sup>6</sup> United Nations, Charter of the United Nations, 1945, Chapter IV Article 13

<sup>7</sup> United Nations, General Assembly – Second Committee

<sup>8</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>9</sup> United Nations, Charter of the United Nations, 1945, Chapter IV; Article 18

<sup>10</sup> United Nations, Charter of the United Nations, 1945, Chapter IV Article 22

<sup>11</sup> United Nations, General Assembly - Second Committee – 63<sup>rd</sup> Session – Document A/64/416

<sup>12</sup> United Nations, General Assembly - Second Committee – 63<sup>rd</sup> Session – Document A/64/416

<sup>13</sup> Nations, General Assembly - Second Committee – 63<sup>rd</sup> Session – Document A/64/416

<sup>14</sup> Nations, General Assembly - Second Committee – 63<sup>rd</sup> Session – Document A/64/416

countries are encouraged to progress efforts in the areas of legal empowerment through property, labor, and business, rights by “both formal and informal settings by taking into account those dimensions in their national policies and strategies, while bearing in mind the importance of national circumstances, ownership and leadership.”<sup>15</sup> Likewise, at the 64<sup>th</sup> session proposed draft resolution A/C.2/64/L.11, A/C.2/64/L.26 and A/C.2/64/L.62 were written based on the discussion of agenda item 50, information and communication technologies for development.<sup>16</sup> Within these resolutions, the second committee desires to encourage and continue strength and cooperation among stakeholders in order to effectively implement the outcomes of the Geneva and Tunis phases of the World Summit on the Information Society.<sup>17</sup> The Second Committee extends the invitation to Member States in support of participation from the stakeholders in the planning and preparation of the Internet Governance Forum.<sup>18</sup>

Pertaining to the Middle East, the second committee deems it imperative to focus on the resumption and negotiations in terms of the peace process “on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 425 (1978) of 19 March 1978 and 1397 (2002) of 12 March 2002.”<sup>19</sup> However it one should be mindful of the principle of land for peace, the Arab Peace Initiative, 5 and the Quartet performance-based road map to a permanent two-State solution to the Israeli-Palestinian conflict.<sup>20</sup>

Furthermore, the General Assembly Second committee holds a very imperative and dynamic role in the current international arena. Acknowledging the current economic crisis the international spectrum faces the importance of the committee rises. Recently the U.N held a special conference on the World Financial and Economic crisis.<sup>21</sup> The focus was the impact on Developing countries.

### ***Conclusion***

As a consensus-building organ, the upcoming 65<sup>th</sup> session of the General Assembly will strive to continue the progress outlined in the 64<sup>th</sup> session. The General Assembly Second Committee will make the necessary arrangements to review its progress from all sessions while focusing on the problematic topics previously discussed. The body will discuss a multitude of economic and financial related agenda items. Fully understand the scope and, mandate of the committee is a necessary prerequisite for the success of the body. Heeding the past and current work of the committee will also prove essential for the work of the body.

With the aforementioned in mind, the body should consider a few things. Should the body focus on past actions or try to formulate specific plans to solve the problems or issues presented? How well have past actions been implemented and how can we continue to build on this success? Also, what has been done to combat the issue at hand and has it been successful? And what can be done to increase implementation of the recommendations of the committee?

## **I. Ensuring Developing Countries’ Sovereignty Over Their Natural Resources**

### ***Introduction***

The concept that countries, peoples and nations should have control over their natural resources dates back to prior to the United Nations’ founding. Within the context of the General Assembly, beginning as early as the 1950s countries in the developing world initiated the affirmation of permanent sovereignty, held by countries over natural resources within their territory, within General Assembly resolutions. Beginning in the 1970s the concept was broadened to include the rights of peoples in non-self-governing territories and sub-national groups by the General Assembly Second Committee.

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<sup>15</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>16</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>17</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>18</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>19</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>20</sup> United Nations, General Assembly – Second Committee – 64<sup>th</sup> Session – Document A/C.2/64/L.4/Rev.2

<sup>21</sup> United Nations, Latest News- United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development, 2009.

Despite progress in the legal and institutional framework, there are numerous examples of ongoing impediments to the full realization of sovereignty by developing countries and peoples worldwide. This guide discusses three recent or ongoing examples in Nigeria, the Occupied Palestinian Territories, and the Bougainville region of Papua New Guinea. The case studies provide evidence of the failures of the international community thus far to guarantee sovereignty over natural resources, as well as examples of the possible consequences of that failure. Socio-economic collapse, political violence, regional instability, human rights and international humanitarian law violations, and the perpetuation or creation of armed conflict are among the numerous possible negative consequences of a sustained failure to recognize the sovereignty of peoples and countries over their natural resources. It is imperative that the General Assembly Second Committee act, in order to achieve greater acceptance and exercise of the rights of peoples over their resources worldwide.

### ***History and International Framework***

The Latin American bloc has been most responsible for the inclusion of “Permanent Sovereignty Over Natural Resources” as a topic for consideration by organs of the United Nations, with Chile often the most vocal on this point early in the history of the United Nations.<sup>22</sup> Due in part to their perceived lesser-power status in their international relations, particularly with the United States regarding American businesses with resource extraction operations in their territories, Latin American countries strongly defended the concepts of national sovereignty and the primacy of states over their territory.<sup>23</sup> This concept was reflected further in the Organization of American States’ Charter, signed in 1948; Chapter IV of the Charter, “Fundamental Rights and Duties of States,” contains numerous references to state control over their territory.<sup>24</sup> In December 1952, these states’ efforts bore fruit with the passage of General Assembly Resolution 626, which “recommends all Member States to refrain from acts [...] designed to impede the exercise of the sovereignty of any State over its natural resources.”<sup>25</sup>

This movement within the international community also laid the groundwork for future debate over the rights of peoples in addition to the rights of states, and the linkage between the rights to self-determination and to sovereignty over natural resources.<sup>26</sup> Both the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), were adopted by the General Assembly in 1966 and came into force in 1976.<sup>27</sup> Article I of each document states:

All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.<sup>28</sup>

In 1958, the General Assembly created the Commission on Permanent Sovereignty over Natural Resources, which completed its work in 1961 with the proposal of a Draft Declaration on Permanent Sovereignty over Natural Resources.<sup>29</sup> This Draft Declaration was eventually passed as General Assembly Resolution 1803 in December 1962.<sup>30</sup> The resolution applied these rights to both “peoples and nations,” which opened the possibility of the rights being granted to non-state entities and peoples seeking self-determination prior to official statehood, and linked the values of the UN Charter with the ability to exercise this sovereignty.<sup>31</sup>

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<sup>22</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997, p. 36.

<sup>23</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997, p. 36.

<sup>24</sup> Organization of American States, *Charter of the Organization of American States*, 1967, Chapter IV.

<sup>25</sup> United Nations General Assembly, *Resolution 626: Right to exploit freely natural wealth and resources*, 1952.

<sup>26</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997.

<sup>27</sup> United Nations General Assembly, *International Covenant on Civil and Political Rights*, 1967, Article 1;

United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 1967, Article 1.

<sup>28</sup> United Nations General Assembly, *International Covenant on Civil and Political Rights*, 1967, Article 1;

United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 1967, Article 1.

<sup>29</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997.

<sup>30</sup> United Nations General Assembly, *Resolution 1803: Permanent Sovereignty over Natural Resources*, 1962.

<sup>31</sup> ECOSOC, *Indigenous peoples’ permanent sovereignty over natural resources: Final report of the Special Rapporteur, Erica-Irene A. Daes*, 2004, p. 5-7.

These actions took place amid the United States' and Soviet Union's desires to have access to natural resources for Cold War arms buildups, the move by independent, usually left-leaning governments such as the Mossadegh government in Iran to nationalize certain resource markets, some Latin American countries' chafing under the United States' economic sphere of influence, and the emerging North-South economic divide.<sup>32</sup> What had begun as an ideological difference was becoming a principle of international law in need of codification; "the right of permanent sovereignty over natural resources was recognized because it was understood early on that without it, the right of self-determination would be meaningless."<sup>33</sup>

However, there was also recognition of the fact that nationalization, or other exercises of these sovereign rights considered extreme by the countries most in need of raw materials, could wreak havoc on the global economy.<sup>34</sup> In Resolution 1515, the General Assembly took a cautionary approach towards exercise of rights they simultaneously reaffirmed, "[recommending] further that the sovereign right of every State to dispose of its wealth and its natural resources should be respected in conformity with the rights and duties of states under international law."<sup>35</sup>

### ***1970s: Inclusion of Self-Determination and Rights of Peoples, and the Oil Crisis of 1973-1974***

The General Assembly, predominantly through the General Assembly Second Committee, had been the primary forum for debate on natural resource sovereignty with the exception of the debates over the drafts of the ICESCR and the ICCPR, both of which originated in the Commission on Human Rights (CHR).<sup>36</sup> General Assembly Resolution 1314, in 1958, began the process of including in General Assembly discussions the CHR-originated concept of the sovereignty of peoples or nations, rather than solely states, over natural resources.<sup>37</sup>

In 1973, the passage of Resolution 3171 in the General Assembly reaffirmed "the inalienable rights of States to permanent sovereignty over all their natural resources"; it also "affirm[ed] that the application of the principle of nationalization" should be conducted under the national processes of the nationalizing State, further strengthening this position.<sup>38</sup> Finally, Resolution 3171 began the shift in thinking in terms of who deserves rights over resources; in the second operative clause, the Assembly gave support not only to developing countries, but also to "peoples of the territories under colonial and racial domination and foreign occupation" who sought to exercise sovereignty over natural resources.<sup>39</sup>

This resolution is considered a landmark resolution because of its context and effects. It was passed a few months after the fourth meeting of the Heads of State and of governments of non-aligned countries in Algiers in September 1973, and in the shadow of the 1973 Arab-Israeli War of October of that year.<sup>40</sup> It also upheld the principles allowing for the October 1973 to March 1974 embargo by Arab OPEC members in response to US support for Israel in the war.<sup>41</sup>

The effects of Resolution 3171 upon international law and the economy are notable. The resolution opened the door to legal nationalization and cartelization as a means to control, protect and exercise sovereignty over natural resources, and further allowed for the *exercise* of previously *declared* rights; this exercise led to the price of oil quadrupling during the five-month embargo, which in turn had drastic worldwide economic effects.<sup>42</sup> These effects

<sup>32</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997; ECOSOC, *Indigenous peoples' permanent sovereignty over natural resources: Final report of the Special Rapporteur, Erica-Irene A. Daes*, 2004, p. 5-7.

<sup>33</sup> ECOSOC, *Indigenous peoples' permanent sovereignty over natural resources: Final report of the Special Rapporteur, Erica-Irene A. Daes*, 2004, p. 5-7.

<sup>34</sup> United Nations General Assembly, *Resolution 1515*, 1960.

<sup>35</sup> United Nations General Assembly, *Resolution 1515*, 1960.

<sup>36</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997.

<sup>37</sup> United Nations General Assembly, *Resolution 1314: Recommendations concerning international respect for the right of peoples and nations to self-determination*, 1958.

<sup>38</sup> United Nations General Assembly, *Resolution 1314: Recommendations concerning international respect for the right of peoples and nations to self-determination*, 1958.

<sup>39</sup> United Nations General Assembly, *Resolution 1314 (XIII): Recommendations concerning international respect for the right of peoples and nations to self-determination*, 1958.

<sup>40</sup> Elian, *The Principle of Sovereignty Over Natural Resources*, 1979, p. 103-105.

<sup>41</sup> Elian, *The Principle of Sovereignty Over Natural Resources*, 1979, p. 103-105.

<sup>42</sup> CBC News, *CBC News In Depth: Oil*, 2007.

included gasoline rationing and fuel lines in the Western world for commercial and personal vehicles, US GDP growth falling by 3.2%, and a shift in spending in numerous European and North American countries towards development of domestic energy sources.<sup>43</sup> In 1979, the oil shock resulting from the overthrow of the Shah in Iran – whose reign was itself engineered by the United States after they overthrew the Mossadegh government for nationalizing oil previously controlled by a predecessor company to British Petroleum<sup>44</sup> - led to oil prices increasing by a further 133%.<sup>45</sup>

### ***Case Study: Shell Oil and Nigeria***

Shell's oil drilling activity in Nigeria, centered in the Niger Delta, began in 1958, two years after oil was first discovered in Nigeria in 1956.<sup>46</sup> As of the time of writing, Shell is still the largest oil producer in Nigeria.<sup>47</sup> Shell, as one of five major oil companies to enter the Nigerian extraction business in the late 1950s and early 1960s, contributed to the creation of oil infrastructure, including “4,500 miles (7,200 kilometers) of pipelines, 159 oil fields, and 275 flow stations, their gas flares visible day and night from miles away.”<sup>48</sup> In spite of these costs, oil has generated 600 bn USD in profits in Nigeria.<sup>49</sup> National Geographic notes the social impacts of the introduction of oil industry to the Niger Delta:

The oil firms entered a region splintered by ethnic rivalries. More than two dozen ethnic groups inhabit the delta, among them the Ijaw, the largest group, and the Igbo, Itsekiri, Ogoni, Isoko, and Urhobo. These groups have a history of fighting over the spoils of the delta, from slaves to palm oil—and now, crude oil. The companies disturbed a fragile landscape that supported fishing and farming. Engineers and project managers constructing pipelines through a mangrove swamp, or laying roads through marshland, could disrupt spawning grounds or change the course of a stream, threatening a village's livelihood.<sup>50</sup>

Oil companies' methods to obtain drilling rights, including failure to perform environmental impact studies or to clean up spills and leaks, "paying off village chiefs" for rights, delaying compensation-related lawsuits and payouts for years, and using private security to break up protests, helped maintain the foreign companies' control over oil in Nigeria.<sup>51</sup> Additionally, the local governmental entities and communities have no rights to natural resources, which under the current Nigerian Constitution are controlled exclusively by the federal government.<sup>52</sup> Yet despite the incredible wealth created by oil, residents of the Niger Delta are overwhelmingly poor and destitute; the region is characterized by “administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict.”<sup>53</sup> The contrast between the oil wealth created by the Niger Delta and the conditions in which its people live is described by Amnesty International as “one of the world's starkest and most disturbing examples of the ‘resource curse’.”<sup>54</sup>

As a result of all of these factors, the Ogoni, which is the primary ethnic group around Port Harcourt in the delta, organized opposition to oil drilling in the Delta.<sup>55</sup> The most influential has been the non-violent Movement for the Survival of the Ogoni People (MOSOP), founded in 1990 to launch the Ogoni Bill of Rights, a declaration to the government calling for a list of actions to improve the lot of the people of the Delta.<sup>56</sup> The 1990-1995 period,

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<sup>43</sup> United States Department of Commerce, *Bureau of Economic Analysis, Gross Domestic Product Percent change from preceding period, 1973-1974*, n.d.

<sup>44</sup> De Luce, *The spectre of Operation Ajax*, 2003.

<sup>45</sup> Canadian Broadcasting Company, *CBC News In Depth: Oil*, 2007.

<sup>46</sup> The Case Against Shell, *Shell's Environmental Devastation in Nigeria*, 2009;

O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007.

<sup>47</sup> Pilkington, E., *Shell pays out \$15.5m over Saro-Wiwa killing*, 2009

<sup>48</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 3.

<sup>49</sup> Wurthmann, *Ways of Using the African Oil Boom for Sustainable Development*, 2006.

<sup>50</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 3.

<sup>51</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 3.

<sup>52</sup> Government of Nigeria, *Constitution of the Federal Republic of Nigeria*, 1999. Clause 44.

<sup>53</sup> UNDP, *Niger Delta Human Development Report*, 2006.

<sup>54</sup> Amnesty International, *Nigeria: Petroleum, Pollution and Poverty in the Niger Delta*, 2009, page 9.

<sup>55</sup> Movement for the Survival of the Ogoni People, *MOSOP*, n.d.

<sup>56</sup> Movement for the Survival of the Ogoni People, *Ogoni Bill of Rights*, 1990.

however, was marked by the coordinated actions of Shell and the Nigerian government to suppress Ogoni resistance.<sup>57</sup> The Nigerian government of General Sani Abacha arrested Ken Saro-Wiwa, leader of MOSOP, in 1995 for murder of the leaders of a MOSOP splinter group that rejected non-violence, which occurred while he was outside the country.<sup>58</sup> Saro-Wiwa, as part of a group known as the “Ogoni Nine,” was convicted in a special military tribunal and was hung in 1995 despite widespread international outcry.<sup>59</sup> In 2009, Shell, though not admitting any involvement in the killing of Saro-Wiwa, nonetheless agreed to pay \$15.5 million US in damages to the families of the Ogoni Nine.<sup>60</sup>

Though the Nigerian government took the actions directly against Saro-Wiwa and gave permits to oil companies such as Shell, the sovereignty question is raised both on the issue of local control, since the Ogoni are not a major ethnic group in the Nigerian federal government, and due to allegations of Shell’s involvement with Nigerian actions. Specifically, the Nigerian army’s actions in the Delta from 1990-1995, characterized as “massive, brutal raids against the Ogoni people,” are alleged to be “at Shell’s request and with Shell’s assistance and financing.”<sup>61</sup> Shell is alleged to have complicity in the tribunal and sham execution of the Ogoni Nine.<sup>62</sup> Most damningly, “At least two witnesses who claimed that Saro-Wiwa was involved in the murders of the Ogoni elders have recanted and were set to testify that they had been bribed with money and offers of jobs with Shell to give false testimony, all in the presence of Shell’s lawyer.”<sup>63</sup> Shell has not drilled in the Niger delta since 1993, but continued operations in Nigeria beyond that point, maintaining a close relationship with Abacha until his death in 1998.<sup>64</sup>

One key element of sovereignty over natural resources is the ability of peoples to “dispose, for their own ends,” their resources, and to avoid being denied their means of subsistence.<sup>65</sup> Despite the involvement of the Nigerian government, and the wealth being created, and because of a “cancer of corruption” in Nigeria, this has not been achieved.<sup>66</sup> Nigeria is the least wealthy major oil producer, and is “beset by risk of armed conflict, epidemic disease, and failed governance.”<sup>67</sup> Civilian rule has improved prospects for the future somewhat, but even in the 11 years since then, progress has been insufficient to guarantee permanent sovereignty of the Nigerian people over their natural resources.

### ***Case Study: Bougainville (Papua New Guinea)***

Bougainville, one of the islands of Papua New Guinea (PNG), was the site of a conflict between 1988 and 1998 that serves as an example of the violation of sovereignty over natural resources.<sup>68</sup> While still under Australian administration, PNG granted a mining exploration license to the Rio Tinto Zinc Corporation (RTZ) in 1963; in 1972 operations expanded to build the Panguna mine, the world’s largest open pit copper mine, under the management of Bougainville Copper Ltd (BCL), with the PNG government as a minority shareholder, and RTZ as its parent company.<sup>69</sup> The residents of Bougainville came into conflict with the company almost immediately. Due to the fact that under the PNG Independence Constitution, mineral rights belonged to the State, landowners were not entitled to any royalties or profits.<sup>70</sup> The situation deteriorated further once communities found their traditional way of life endangered by environmental damage to marine life and agriculture, compounded by a loss of “tranquility because

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<sup>57</sup> The Case Against Shell, *Shell's Environmental Devastation in Nigeria*, 2009.

<sup>58</sup> Entine, J., *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*, 2009.

<sup>59</sup> Entine, J., *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*, 2009.

<sup>60</sup> Pilkington, E., *Shell pays out \$15.5m over Saro-Wiwa killing*, 2009;

BBC News, *Shell settles Nigeria deaths case*, 2009.

<sup>61</sup> The Case Against Shell, *Shell's Environmental Devastation in Nigeria*, 2009.

<sup>62</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 6.

<sup>63</sup> Entine, J., *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*, 2009.

<sup>64</sup> Amnesty International, *Nigeria: Petroleum, Pollution and Poverty in the Niger Delta*, 2009.

<sup>65</sup> United Nations General Assembly, *International Covenant on Civil and Political Rights*, 1967, Article 1;

United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 1967, Article 1.

<sup>66</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 4.

<sup>67</sup> O'Neill, T., *Curse of the Black Gold: Hope and betrayal on the Niger Delta*, 2007, page 1.

<sup>68</sup> GTZ, *Bougainville / Papua New Guinea*.

<sup>69</sup> Government of Australia, *Origins of the Bougainville Conflict*.

<sup>70</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.



of the noise from the continuous blasting operations.”<sup>71</sup> These environmental and social issues were further exacerbated by the inequity in distribution of profits from the copper mine.<sup>72</sup> In its 17 years of operation, roughly 2% of the total profits were distributed to landowners, with the vast majority going to the Government of PNG, which was not seen as a rightful recipient of profits from the mine.<sup>73</sup> A final cause for the eventual eruption of conflict was tensions between native Bougainvilleans and workers brought in from the mainland of PNG who were seen as rivals for jobs, often were paid higher wages, formed “squatter settlements” on traditionally-owned land, and encouraged criminal activity and poor behavior.<sup>74</sup>

In 1987, a group of Bougainvilleans demanded compensations for the mine’s impact, a claim which was rejected by RTZ, sparking a campaign against the mine by the Panguna Landowners Association, and a newly formed Bougainville Revolutionary Army (BRA).<sup>75</sup> In November 1988, the BRA successfully halted mining operations by setting off explosives.<sup>76</sup> Civil unrest and violence occurred throughout the following year, culminating in a naval blockade imposed by the Government of PNG in May 1990 to prevent supplies from getting to Bougainville.<sup>77</sup> This blockade caused a severe humanitarian crisis, during which civil society organizations were barred from working, causing their eventual withdrawal.<sup>78</sup> That same month a unilateral declaration of independence was proclaimed by the Bougainville Interim Government.<sup>79</sup>

Fracture in support for the BRA amongst many Bougainvilleans, for reasons ranging from ideological differences to abuses committed by members of the BRA, led to the formation of the Bougainville Liberation Force (BLF) which was supported by the PNG Defense Force (PNGDF).<sup>80</sup> These three groups, BRA, BLF, and PNGDF, were the main participants in open combat throughout the conflict.<sup>81</sup> The violence that occurred throughout the civil war, and the humanitarian crisis that resulted from it, fluctuated in intensity but lasted from 1989 to 1998.<sup>82</sup> The conflict is estimated to have caused between 15,000 and 20,000 deaths.<sup>83</sup>

The conflict eventually gave way to the signing of the Burmham Truce in 1997 and the eventual implementation of the Bougainville Peace Agreement signed on August 30, 2001.<sup>84</sup> The Peace Agreement lays out a plan for “greater self-government and eventually a referendum on independence, within 10 to 15 years.”<sup>85</sup> The United Nations Political Office in Bougainville (UNPOB) was established in the period before the Agreement was signed to observe the truce and collect weapons.<sup>86</sup> The UN Observer Mission in Bougainville (UNOMB) was established on January 1, 2004 as a follow-up mission that would “facilitate a smooth transition in the lead up to the election of an autonomous government in Bougainville.”<sup>87</sup> The last years have been calm, and current President James Tanis held talks to bring the main conflict parties together.<sup>88</sup> He began his term by placing the issue of the Panguna mine at the

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<sup>71</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 5.

<sup>72</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 5.

<sup>73</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.

<sup>74</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.

<sup>75</sup> O’Callaghan, *PNG-Bougainville: The Origins of the Conflict*, 2002.

<sup>76</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 7.

<sup>77</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 8.

<sup>78</sup> O’Callaghan, *PNG-Bougainville: The Origins of the Conflict*, 2002.

<sup>79</sup> United Nations, *Economic and Social Council, Commission on Human Rights, Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 9.

<sup>80</sup> Reddy, *Reconciliation in Bougainville: Civil war, Peacekeeping and Restorative Justice*, 2008, p. 119.

<sup>81</sup> Reddy, *Reconciliation in Bougainville: Civil war, Peacekeeping and Restorative Justice*, 2008, p. 119.

<sup>82</sup> Reddy, *Reconciliation in Bougainville: Civil war, Peacekeeping and Restorative Justice*, 2008, p. 119.

<sup>83</sup> Reddy, *Reconciliation in Bougainville: Civil war, Peacekeeping and Restorative Justice*, 2008, p. 119.

<sup>84</sup> GTZ, *Bougainville / Papua New Guinea*, n.d..

<sup>85</sup> BBC, *PNG Island Vote Tests Peace Deal*, 2005.

<sup>86</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>87</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>88</sup> The National, *At Last, BCL Mine Listens to People of Bougainville*, 2009.

top of his agenda, recognizing that landowner unrest over mining activity caused the conflict; recognizing also that if not addressed, the Panguna situation could spark additional violence, Tanis stated, "I do not want to see another round of conflict again that will cost many lives."<sup>89</sup> In recent months, President Tanis has also made efforts to distance himself from a mining deal struck by his predecessor, which granted the Australian mining company Invincible Resources rights to over 70% of Bougainville's natural resources.<sup>90</sup> The reconciliation process the President hopes to bring about is aimed at preventing further conflict in the future. However, multiple viewpoints exist in the region and many residents do not feel it is appropriate to begin reconciliation yet, seeking instead economic compensation for the tremendous losses that occurred during the civil war.<sup>91</sup>

### ***Case Study: Occupied Palestinian Territories***

The General Assembly Second Committee has had a particular and consistent interest in discussing the rights of the Palestinian people over their natural resources. An item entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" has been on the agenda, specifically and separately focused on Palestinian sovereignty, of each of the last fourteen Second Committee sessions.<sup>92</sup>

In the 1970s, the General Assembly followed up on an action taken by the UN Council for Namibia, which called control over natural resources in Namibia the "birthright [of] the people of Namibia" long before Namibian independence; the General Assembly called for a "corresponding right" for the Palestinians.<sup>93</sup> In Resolution 3005 (XXVII) of 15 December 1972, the General Assembly "Affirm[ed] the principle of the sovereignty of the population of the occupied territories over their national wealth and resources," and called for non-cooperation with the actions of "the occupying Power to exploit [Palestine's] resources."<sup>94</sup> The resolution also attempted to facilitate an easier investigation of "the exploitation and the looting of the resources of the occupied territories."<sup>95</sup> The phrase "permanent sovereignty" was applied to the Arab population of Israeli-occupied territory for the first time in Resolution 3175 (XXVIII) of 17 December 1973.<sup>96</sup> The General Assembly continued to reaffirm the rights of the Palestinian people over their natural resources each year from the twenty-seventh session in 1972 until the thirty-eighth session in 1983, with increasing majorities in favor of the passage of these documents each year.<sup>97</sup> After a hiatus, resolutions on this topic began to be passed by the General Assembly again during the fifty-first session in 1996 after adoption by the Second Committee, and have been adopted each year since.<sup>98</sup> As with the first multi-year

<sup>89</sup> AAP, *New President Brings Panguna Together*, 2009.

<sup>90</sup> Radio New Zealand, *Invincible Resources not a Priority for new Bougainville Leader*, 2009.

<sup>91</sup> The National, *At Last, BCL Mine Listens to People of Bougainville*, 2009.

<sup>92</sup> United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/52/1), 1997; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/53/1), 1998; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/54/1), 1999; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/55/1), 2000; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/56/1), 2001; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/57/1), 2002; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/58/1), 2003; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/59/1), 2004; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/60/1), 2005; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/61/1), 2006; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/62/1), 2007; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/63/1), 2008; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/64/1), 2009; United Nations General Assembly, *Allocation of Items to the Second Committee* (A/C.2/65/1), 2010.

<sup>93</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997, p. 9.

<sup>94</sup> United Nations General Assembly, *Resolution 3005 (XXVII): Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories*, 1972.

<sup>95</sup> United Nations General Assembly, *Resolution 3005 (XXVII): Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories*, 1972.

<sup>96</sup> United Nations General Assembly, *Resolution 3175 (XXVIII): Permanent sovereignty over natural resources in the occupied Arab territories*, 1973.

<sup>97</sup> Schrijver, *Sovereignty Over Natural Resources: Balancing Rights and Duties*, 1997, p. 161.

<sup>98</sup> United Nations General Assembly, *Resolutions adopted by the General Assembly at its 51st session*, 1997; United Nations General Assembly, *Resolutions adopted by the General Assembly at its 52nd session*, 1998; United Nations General Assembly, *Resolutions adopted by the General Assembly at its 53rd session*, 1999;

period of General Assembly focus upon the topic, this group of resolutions on permanent sovereignty for the Palestinian people over their natural resources had a trend of increasing support.

During this period, Israel's formal responses were dismissive of the idea of the discussion at the Second Committee altogether; their statements referred to the topic as an "agenda item which bears no relation to the important matters that genuinely form the substantive agenda of the Committee."<sup>99</sup> Calling the annual resolution "anything but productive," an Israeli diplomat characterized the 2009 Second Committee resolution as "the result of politicized objectives rather than professional conduct."<sup>100</sup> Over the objections of Israel, however, the 2009 resolution was passed, prompting the Palestinian permanent observer to state that "The text sent a clear message to the Palestinian people, whose rights and resources were being stolen, that the international community stood with them."<sup>101</sup> The resolution was then reported to the General Assembly Plenary, and was passed once more, with the text once again "demand[ing] that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion of, or endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan."<sup>102</sup> The resolution was passed with a vote of 165 in favor, 8 against, with 7 abstentions.<sup>103</sup>

In spite of the attempts by the General Assembly to affect the situation, challenges remain. The 2009 report of the Secretary-General to the General Assembly on this subject details the recent violations of Palestinian sovereignty over their natural resources caused by Israeli settler actions alone:

Between 1 February 2009 and 9 February 2010, there were 129 recorded incidents of Israeli settlers damaging Palestinian property, including razing, uprooting and burning 1,400 fruit-bearing trees and 2,000 dunams of cropland, in addition to damage to houses and vehicles. The value of settler-related property damage is significant and has a direct impact on the livelihoods of Palestinians through direct damage of, or access denied to, Palestinian agricultural or grazing land. In certain cases, such damage affects the ability of Palestinians to access basic services. In a number of areas, systematic settler violence has led to displacement of Palestinians.<sup>104</sup>

Direct governmental action by Israel is also presently exacerbating the situation, specifically through the continued construction of the Security Barrier; 87% of the route of the Barrier is away from the Green Line and within the West Bank, which will separate 9.5% of Palestinian land from the remainder.<sup>105</sup> In addition to the Palestinians' future capital of East Jerusalem, this land includes "some of the West Bank's most agriculturally productive

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United Nations General Assembly, *Resolutions adopted by the General Assembly at its 54th session*, 2000;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 55th session*, 2001;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 56th session*, 2002;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 57th session*, 2003;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 58th session*, 2004;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 59th session*, 2005;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 60th session*, 2006;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 61st session*, 2007;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 62nd session*, 2008;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 63rd session*, 2009;  
United Nations General Assembly, *Resolutions adopted by the General Assembly at its 64th session*, 2010;

<sup>99</sup> Permanent Mission of Israel to the United Nations, *Statement by Dr. Uri Resnick, Ministry of Foreign Affairs, on "Permanent Sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources,"* 2009.

<sup>100</sup> Permanent Mission of Israel to the United Nations, *Statement by Ms. Shuli Davidovich, Counsellor, on "Explanation of Vote on A/C.2/64/L.12,"* 2009.

<sup>101</sup> United Nations General Assembly, *Press Release: Second Committee approves text demanding that Israel stop exploiting, depleting, endangering natural resources in occupied Arab lands* (GA/EF/3268), 2009.

<sup>102</sup> United Nations General Assembly, *Report of the Second Committee: Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources* (A/64/416), 2009.

<sup>103</sup> United Nations General Assembly, *Sixty-fourth General Assembly Plenary, 66th Meeting* (GA/10907), 2009.

<sup>104</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 13.

<sup>105</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010 par. 14-15.

lands.”<sup>106</sup> The separation created by the barrier “isolate[s] the land and water resources of a large number of Palestinians” from the people who live on the east side of the barrier, which has led to many farmers abandoning their lands.<sup>107</sup> The barrier’s construction area and the segregated area together comprise over 320 km<sup>2</sup> of Palestinian land now in a state of *de facto* annexation by Israel.<sup>108</sup>

Water accessibility has also been cut off, primarily in the Gaza Strip, where a water crisis in December 2008 consisted of 80% of water wells “partially functioning and the rest were non-functional” due to power outages caused by Israeli attacks on Gaza’s power infrastructure during Operation Cast Lead.<sup>109</sup> The report from the Economic and Social Commission for Western Asia (ESCWA) also notes that “According to [Israeli NGO] Yesh Din, 11 Israeli corporations are illegally operating quarries in the West Bank, [with] 75 per cent of the output from the quarries [used for] the Israeli construction industry, in violation of the obligations of Israel under international law to protect and preserve the national resources of the West Bank.”<sup>110</sup>

In addition to the simple illegality of such actions, there are numerous impacts on human rights, socio-economic status and the perpetuation of conflict. Over 80% of Gazans, and 45% of West Bank residents, live in poverty.<sup>111</sup> 48.8% of residents of the Gaza Strip are not employed.<sup>112</sup> Similar effects are felt in the occupied Syrian Golan.<sup>113</sup> Though Israel justifies their actions in the context of a broader national security strategy, attacks *from* Palestinians *upon* Israel continued only “at a diminished rate compared with that of previous years” in 2009.<sup>114</sup> Settler incidents, which the Israeli government is obligated to intervene to prevent, caused 144 Palestinian injuries in the West Bank in 2009; in Gaza, 74 deaths and 129 injuries were caused by work in unsafe tunnels under the Egyptian border to smuggle in commodities previously available via trade or self-creation with working infrastructure.<sup>115</sup> Palestinian exports have also dwindled due to Israeli actions, with a 53.8% loss of Palestinian production of olives, a major crop

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<sup>106</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 15.

<sup>107</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 17-18.

<sup>108</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 15.

<sup>109</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 33.

<sup>110</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 46.

<sup>111</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 47.

<sup>112</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 47.

<sup>113</sup> United Nations General Assembly, *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77), 2009, par. 59-68.

<sup>114</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 6.

<sup>115</sup> United Nations General Assembly, *Note by the Secretary-General, Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 4-5.

in the West Bank, in 2009 alone.<sup>116</sup> The link between socio-economic hopelessness and increased conflict has been demonstrated both broadly and in the Palestinian case; as the Secretary-General's report stated on the Gaza situation, "Without the relaxation of the blockade, further loss of life and injury remain likely."<sup>117</sup>

### ***Conclusion and Questions to Consider***

The establishment of the right to permanent sovereignty over natural resources, a right held by peoples and nations as well as by countries, dates back to the early years of the United Nations. As the concept developed, numerous examples of violations of this sovereignty have been brought to the attention of the international community. However, despite numerous actions taken in the form of General Assembly resolutions, neither the Security Council nor Secretariat action, nor actions taken outside the United Nations system, have been enough to uphold sovereignty over natural resources worldwide.

Situations like those in Nigeria due to oil, in the Bougainville region due to mineral extraction, and in Palestine due to the presence of an occupying power continue to exist and challenge the international community as well as the United Nations system for solutions. In situations involving sub-national areas and entities seeking autonomy, such as Bougainville, Nigeria & Palestine, the question of sovereign rights for peoples and nations can cause internal conflict; in situations involving external sovereign entities, such as in Palestine, natural resource sovereignty can be a factor in the creation or perpetuation of inter-state conflict. The General Assembly Second Committee, in its approach to this situation, must bear in mind its legal, ethical, and practical impacts and importance of this topic. The Second Committee must also have a dual focus, including specific situations that are unique because of their context as well as broader, more universal problems that can be addressed more generally.

What is the role of the concept of permanent sovereignty over natural resources in achieving sustainable development goals? How can member states balance rights, such as sovereignty over resources, and duties, such as states' obligations to utilize those resources for the benefit of their populations, in their pursuit of upholding permanent sovereignty over natural resources worldwide? How can the Second Committee address the unique rights and concerns of peoples in territories under occupation or foreign administration? What role do foreign investment and transnational corporations play in the struggle to achieve realization of permanent sovereignty?

## **II. External Debt and Development: Towards a Durable Solution to the Debt Problems of Developing Countries**

*"The current crisis is once again highlighting the importance of effective debt management for debt sustainability in developing countries. As with previous crises, effective management of a country's public debt is proving to be a valuable asset in mitigating the effects of external shocks. Consequently, it is now globally accepted that building and retaining strong national capacity in the area of debt management is essential for achieving and maintaining debt sustainability."*<sup>118</sup>

### ***External Debt Overview***

Historically, debt has been used as a mechanism to maintain power and control over governments, resulting in imbalances and poverty.<sup>119</sup> When considering the cancellation of debt, while exposing the responsibilities of creditors and supporting the lasting changes to the international financial architecture, the issue of debt extends beyond the financial realm, as political and ethical parameters must also be considered.<sup>120</sup> According to the

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<sup>116</sup> United Nations General Assembly, Note by the Secretary-General, *Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 18.

<sup>117</sup> United Nations General Assembly, Note by the Secretary-General, *Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72), 2010, par. 4.

<sup>118</sup> Supachai Panitchpakdi, Secretary-General of UNCTAD, 2009

<sup>119</sup> European Network on Debt & Development, *Debt Overview*, 2009

<sup>120</sup> European Network on Debt & Development, *Debt Overview*, 2009

European Network on Debt & Development, “a country facing difficulties [with debt] today would run into the same problems it did three decades ago, namely that there is no internationally recognized procedure to work-out sovereign debts in a fair, predictable, and transparent manner.”<sup>121</sup>

The International Monetary Fund (IMF) describes external debt as follows: “gross external debt, at any given time, is the outstanding amount of those actual current, and not contingent, liabilities that require payment(s) of principle and/or interest by the debtor at some point(s) in the future and that are owed to nonresidents by residents of an economy.”<sup>122</sup> Furthermore, bilateral debt is debt owed to creditors in individual countries.<sup>123</sup> It is estimated that approximately one third of the total external debt of developing countries is export credit originated debt, representing a significant burden on the budgets of many developing countries.<sup>124</sup>

### ***Challenges in Debt Relief***

Debt relief has been a cutting edge new economic policy in the media since the turn of the millennium, bearing huge popularity with policy makers and the public, including influential icons such as the singer Bono or the Pope.<sup>125</sup> However, the overall concept of debt relief has not been proven to be very beneficial for the world’s low-income countries (LIC). Transferring scarce resources to corrupt governments with a history of misuse of aid may only worsen poverty among the world’s most vulnerable populations.<sup>126</sup> More effective methods must aim to combat the causes of why the debt situation exists, rather than merely patching the problem with further aid. Debt relief is no longer touted as being part of the effort to address the development needs of low-income countries based on the simple fact that impoverished populations do not owe foreign debt – their governments do.<sup>127</sup> It is suggested that destitute states suffer poverty not because of high debt burdens but because of ineffective local governance; when left without intervention, governments may engage in new borrowing to replace the forgiven loans, meaning that the debt burden would not fall in the end.<sup>128</sup> This in turn creates an inescapable circle of debt.

Proof that debt relief results in economic reform and providing a long-lasting solution to the problem is yet to be attained. During the 1980s and 1990s, multilateral financial institutions granted “structural adjustment” loans to developing nations in the hopes that their governments would cut their fiscal deficits and enact reforms resulting in economic growth.<sup>129</sup> 1,055 separate adjustment loans from the World Bank and IMF were made to 119 countries in need during the period. The goal was that the countries in question would have experienced more rapid economic growth, thus allowing them to tend to their foreign debts more easily.<sup>130</sup> However, the majority of states that received the aid fell short of the desired goals. Of the 36 impoverished countries that received 10 or more of these adjustment loans, the average percentage of growth per capita was zero during the given period of time.<sup>131</sup>

Furthermore, programs of full and unconditional debt forgiveness essentially transfer more resources from needy countries that have used aid effectively to those that have wasted it in the past.<sup>132</sup> The lack of a centralized “credit rating” system further allows countries that ineffectively use foreign aid to continue to seek further aid in light of their history. The overall challenge for civil society, the World Bank, IMF, and other agencies is to ensure that conditional debt forgiveness leads to government reforms that enhance the prospects of poor countries, ultimately leading to the resolution of their external debt problems.<sup>133</sup>

A simple macroeconomic theory can also be used to explain the ineffectiveness of debt relief and foreign aid through the phenomenon known as Dutch Disease. Dutch Disease explains that the existence of a “labor-free”

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<sup>121</sup> European Network on Debt & Development, *Debt Overview*, 2009

<sup>122</sup> International Monetary Fund, *External Debt Statistics: Guide for Compilers and Users*, 2003, p.7

<sup>123</sup> International Monetary Fund, *External Debt Statistics: Guide for Compilers and Users*, 2003, p.42

<sup>124</sup> European Network on Debt & Development, *Bilateral Debt*, 2009.

<sup>125</sup> Easterly, W, *Debt Relief*, (2001), p.20

<sup>126</sup> Easterly, W, *Debt Relief*, (2001), p.20

<sup>127</sup> Easterly, W, *Debt Relief*, (2001), p.22

<sup>128</sup> Easterly, W, *Debt Relief*, (2001), p.22

<sup>129</sup> Easterly, W, *Debt Relief*, (2001), p.25

<sup>130</sup> Easterly, W, *Debt Relief*, (2001), p.25-26

<sup>131</sup> Easterly, W, *Debt Relief*, (2001), p.26

<sup>132</sup> Easterly, W, *Debt Relief*, (2001), p.26

<sup>133</sup> Easterly, W, *Debt Relief*, (2001), p.26



income through simple flows in foreign aid causes increasing foreign currency earnings and a resulting appreciation of the real exchange rate. This translates to it reduces the profitability of exports while preventing the foreign aid from contributing to the growth of the economy.<sup>134</sup> This proves that the immediate benefits of foreign aid are outweighed by the long-term hindrances caused by negative economic growth, showing that a solution that is profitable in the long run must come in place of foreign aid.

### ***Recent Developments from the General Assembly***

The 2007 report from the Secretary-General addressed recent developments in External Debt outlines that in 2006, total external debt of developing countries increased in nominal value (from \$2,742 billion to \$2,851 billion) but decreased as a share of their gross national product from 29 to 25 percent, with Sub-Saharan Africa, Middle East and North Africa regions experiencing the biggest drop in external debt ratios.<sup>135</sup> Also during 2006, sovereign debt buybacks reached \$30 billion leading to an increase in the share of debt owed to private creditors and resulting in external sovereign debt being partially compensated by an increase in external borrowing by the private sector, according to the report.<sup>136</sup>

One of the successful techniques used by developing countries to reduce external debt is to adopt new policies that aim to retire public external debt and substituting it with domestic debt.<sup>137</sup> The discussion of public debt in developing countries has usually focused on external debt over domestic debt for three main reasons: First, external borrowing may increase access to resources while domestic borrowing only transfers resources within the country. In addition, since central banks in developing countries cannot print the currency necessary to repay external debt. Finally, external borrowing is associated with vulnerabilities that may lead to debt crisis; and there is no reliable data on domestic public debt.<sup>138</sup>

Over the last few years, the IMF and World Bank have jointly developed a Debt Sustainability Framework for developing countries aimed at guiding International Development Association grant-allocation decisions.<sup>139</sup> While the increasing importance of domestic borrowing is noted, the framework focuses on external debt and does not integrate domestic and external debt because they both have different default risk and cannot be easily added together to form a single indicator of total public debt.<sup>140</sup> Additionally, this framework is based on the idea of debt servicing and does not explicitly include an evaluation of the needs that are necessary for reaching the Millennium Development Goals, with the report of the Secretary-General on the follow-up to the outcome of the Millennium Summit stating, "... we should redefine debt sustainability as the level of debt that allows a country to achieve the Millennium Development Goals and reach 2015 without an increase in debt ratio."<sup>141</sup>

Furthermore, resolution A/64/191 adopted by the General Assembly on 12 February 2010 outlines the most recent developments in this area. It outlines the "importance of responsibly lending and borrowing, and emphasizes that creditors and debtors must share responsibility for preventing unsuitable debt situations."<sup>142</sup> The resolution goes on to state that long-term debt sustainability depends on economic growth, as related to both domestic resources and export prospects, meaning that the creation of an enabling international environment conducive to development will form the basis to tackle the debt problem.<sup>143</sup> Finally, this document's stance toward debt relief is that heavily indebted poor countries will not be able to maximize the benefits of debt relief unless creditors become involved in international debt resolution mechanisms to ensure future debt sustainability.<sup>144</sup>

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<sup>134</sup> Bjerg, C., Bjørnskov, C., and Holm, A., (2010), p.2

<sup>135</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.3

<sup>136</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.3

<sup>137</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.6

<sup>138</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.7

<sup>139</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.10

<sup>140</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.10

<sup>141</sup> United Nations, *Report of the Secretary-General on Recent Developments in External Debt*, (2007), p.11

<sup>142</sup> United Nations General Assembly, *External Debt Sustainability and Development*, (2010) (A/RES/64/191)

<sup>143</sup> United Nations General Assembly, *External Debt Sustainability and Development*, (2010) (A/RES/64/191)

<sup>144</sup> United Nations General Assembly, *External Debt Sustainability and Development*, (2010) (A/RES/64/191)

### ***Case Study: Norway***

Norway has a progressive outlook towards debt reduction, as it was the first country to announce that it would grant 100 percent debt reduction for the poorest countries, and it is also the only country that grants debt relief without taking any funding from the development co-operation budget.<sup>145</sup> In the Norwegian government's Plan of Action for Debt Relief and Development, it outlines Norway's role in the establishment of the Initiative for Heavily Indebted Poor Countries (HIPC) and its role in ensuring that the HIPC initiative is as comprehensive as possible while not implemented at the expense of other development efforts.<sup>146</sup> Beyond the HIPC initiative, Norway supports debt reduction for middle-income countries with unsustainable debt and also tailors their debt relief efforts so as to not benefit other creditors, but only the indebted countries themselves.<sup>147</sup> A further unique aspect to Norway's approach to debt relief is that, unlike in other creditor countries, Norwegian debt cancellation is not financed through the aid budget, but is wholly additional to its official development assistance.<sup>148</sup> By having a multi-faceted and specific take on the issue, Norway brings a unique and effective approach to the debt relief arena.

Although not formally part of the G-77 coalition of developing nations, Norway supports the G-77 position that a Common Fund would be a productive solution to traditional debt relief.<sup>149</sup> This Common Fund is based upon the agreement that it would not intervene with markets, it would respect the autonomy of the commodity agreements, and the main financial resources would come from the developing nations themselves.<sup>150</sup> Furthermore, Norway's support for this Fund dictated that it would have resources of its own in the form of direct assessed contributions from governments and for what purposes they would be used, in addition to supporting the Fund's role in coordinating and financing assistance for "other measures."<sup>151</sup> By exhibiting support for the G-77, Norway exerts its role as a nation that wishes to see an improvement in the debt situation of developing countries.

### ***Managing Public Debt: Formulating Strategies***

Discussions addressing debt management have been on the agenda of the IMF and World Bank for many years. In 2007, May, the two intergovernmental organizations discussed a paper addressing debt management. Discussions baring the paper titled *Strengthening Debt Management Practices: Lessons from Country Experiences and Issues Going Forward* lead to the endorsement of a public debt management work programme (PDM).<sup>152</sup> The endorsed PDM work programme's main focus lies on strengthening frameworks and capacities in low-income countries. This is to be accomplished via three elements of choice:

- (i) developing a toolkit to assist low-income countries in creating a medium term debt management strategy (MTDS) that is effective.<sup>153</sup>
- (ii) Partaking in regular debt management performance assessments.<sup>154</sup>
- (iii) Continued focus on middle-income countries (MICs) through continuing the provisions of debt management and domestic market development technical assistance (TA)<sup>155</sup>

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<sup>145</sup> Norwegian Embassy, *Debt Reduction*, 2009

<sup>146</sup> Norwegian Embassy, *Debt Reduction*, 2009

<sup>147</sup> Norwegian Ministry of Foreign Affairs, *Debt Relief for Development: A Plan for Action*, 2004

<sup>148</sup> Norwegian Ministry of Foreign Affairs, *Debt Relief for Development: A Plan for Action*, 2004

<sup>149</sup> Crane, B.B, *Policy Coordination by Major Western Powers in Bargaining with the Third World: Debt Relief and the Common Fund*, 1984

<sup>150</sup> Crane, B.B, *Policy Coordination by Major Western Powers in Bargaining with the Third World: Debt Relief and the Common Fund*, 1984

<sup>151</sup> Crane, B.B, *Policy Coordination by Major Western Powers in Bargaining with the Third World: Debt Relief and the Common Fund*, 1984

<sup>152</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

<sup>153</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

<sup>154</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

<sup>155</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

## ***The Future of Debt Management***

Low-income countries have struggled to meet their development objectives while continuing to uphold a respectable debt position.<sup>156</sup> Promoting recourse while avoiding non-concessional external borrowing has been the stand of the international community. Flexibility has been applied to allow minimal non-concessional borrowing in a case-by-case basis.<sup>157</sup>

In an effort to review the aforementioned policy, in March of 2009 the executives of the IMF and World Bank endorsed a Medium Term Debt Management Strategy (MTDS).<sup>158</sup> A user guide was established to assist countries in effective debt management strategies. The user guide comprises of two elements, an operational guidance note (GN), and a spreadsheet-based analytical tool (AT).<sup>159</sup> “The GN provides practical guidance on the process of developing an effective MTDS, describing each step involved, while the AT provides quantitative analysis to guide the MTDS decision-making process.”<sup>160</sup>

The future of debt management seems to be moving in a gradual pace towards a structured resolution. Recently a Debt Sustainability Framework (DSF) has been introduced. This marked with a recent decline in overall LIC’s debt coupled with implementation issues of the current policy has lead decision makers to cast attention towards the current policy.<sup>161</sup>

## ***Conclusion***

The issue of external debt is a complicated issue as the best short-term solution is not usually what is best for a country in the long run, and vice versa. Debt is seen as a hindrance on a country’s economic development and the first idea of developed countries to remedy this situation is to forgive the debt or provide foreign aid to provide an immediate solution to the problem. However, in the long run, results in negative economic growth as explained by the Dutch Disease phenomenon, leading to a cycle where it becomes difficult for a country to rid itself fully of debt. There are many schools of thought that attempt to provide different solutions to this problem, but there is currently not one clear-cut method to deal with debt relief that is universally accepted by all Member States.

As delegates begin their research, there are some questions delegates should consider to direct their work. First, why should developed countries be engaged in the debt issues of developing countries? Also, what can we learn from obstacles that have historically hindered the progress of debt solutions? To what extent should solutions to debt issues be tailored toward the current situations of individual nations? Finally, as we progress towards a solution, what can be done to ensure debt does not return to a level where it becomes a significant problem for the international community?

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<sup>156</sup> International Monetary Fund *IMF Executive Board Discusses Changing Patterns in Low-Income Country Financing and Implications for Fund Policies on External Financing and Debt*.

<sup>157</sup> International Monetary Fund (2009, March 30). *IMF Executive Board Discusses Changing Patterns in Low-Income Country Financing and Implications for Fund Policies on External Financing and Debt*.

<sup>158</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

<sup>159</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

<sup>160</sup> International Monetary Fund. *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*, 2009

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### III. Promoting Sustainable Development Practices in Transnational Corporations

#### *The Expansion and Responsibility of Transnational Corporations*

Over the last several decades Transnational Corporations (TNCs) have risen in their influence and power within the global economic system. TNCs today have a significant grasp on an ever-growing share of the global economy. The World Trade Organization (WTO) states that 51 of the 100 largest economic actors today are TNCs; furthermore, the 500 largest TNCs account for nearly 70% of all global trade.<sup>162</sup> According to recent data, there are almost 64,000 TNCs, with approximately 866,000 associated companies operating overseas as foreign affiliates.<sup>163</sup> Of these parent corporations, 49,048 are headquartered in developed countries, primarily within North America and Europe.<sup>164</sup>

In 1987, the United Nations World Commission on Environment and Development (WCED) published *Our Common Future*, also known as the Brundtland Report.<sup>165</sup> *Our Common Future* focuses on establishing the path to sustainable development, a term which is defined by the report as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”<sup>166</sup> The term sustainability continues to be mistakenly reduced to mean environmental sustainability while ignoring social and economic development. Rather, the concept aims at establishing a development pattern that advances all three aspects. Chapters 3 and 8 of the report provide insight into the connections between economy, industry, and corporations, and how they relate to and affect sustainable development.<sup>167</sup> TNCs are identified as important actors in the global economy and in the ever-expanding global trade markets.<sup>168</sup> The importance of businesses is highlighted by the commission’s conclusion that “sustainable development is not a fixed state of harmony, but rather a process of change in which the exploitation of resources, the direction of investments, the orientation of technological development, and institutional change are made consistent with future as well as present needs.”<sup>169</sup>

The Brundtland Report makes several recommendations with respect to the growth of TNCs. First, it recommends the strengthening of developing countries (host countries) with respect to bargaining posture and negotiations.<sup>170</sup> Developing countries often serve as the venue in which TNCs operate foreign affiliates, and while many corporations have acknowledged that they should act within a sustainable framework, there still exists an imbalance in negotiating power between TNCs and developing states.<sup>171</sup> The report recommends stronger policies on corporate activities which impact the environment, urging both parent and host states to focus efforts on ensuring adequate environmental responsibility during business activities.<sup>172</sup> The report also calls for making environmental and development reforms at the international and multilateral levels, while still maintaining a framework for the expansion of economic growth in developing states.<sup>173</sup> The strengthening of sustainable business practices by TNCs in both the environmental and social arenas is imperative to the continued success of expanding corporate activities.<sup>174</sup>

#### *The United Nations Centre on Transnational Corporations*

The significant rise of TNCs prompted the UN Economic and Social Council (ECOSOC) in 1973 to appoint a Group of Eminent Persons (GEP) with the task of advising ECOSOC on the nature and activities of these organizations.<sup>175</sup> The recommendations of the Group led to the creation of the United Nations Centre on Transnational Corporations

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<sup>162</sup> World Trade Organization, *Trade Liberalization Statistics*, 2001.

<sup>163</sup> United Nations Conference on Trade and Development, *Development and Globalization: Facts and Figures*, 2004, p. 44.

<sup>164</sup> United Nations Conference on Trade and Development, *Development and Globalization: Facts and Figures*, 2004, p. 45.

<sup>165</sup> World Commission on Environment and Development, *Our Common Future*, 1987.

<sup>166</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 2, Section 1.

<sup>167</sup> World Commission on Environment and Development, *Our Common Future*, 1987.

<sup>168</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 3.

<sup>169</sup> World Commission on Environment and Development, *Our Common Future*, 1987.

<sup>170</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 3.

<sup>171</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 3.

<sup>172</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 3.

<sup>173</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 4.

<sup>174</sup> World Commission on Environment and Development, *Our Common Future*, 1987, Part I, Chapter 3, Section 3.

<sup>175</sup> United Nations Conference on Trade and Development, *UNCTC Origins*, 2002.

in 1974, which when established the Programme on Transnational Corporations the same year.<sup>176</sup> In 1993, the mandate of the Programme on Transnational Corporations was transferred to the United Nations Conference on Trade and Development (UNCTAD) Division of Investment.<sup>177</sup>

Throughout its existence, the UNCTC served three primary functions: 1) to be the focal point on TNC issues within the United Nations system; 2) it began formulations for a TNC code of conduct; 3) it gave guidance to states and initiate projects for Centre on Transnational Corporations.<sup>178</sup> Aside from its research activities into the nature of TNCs and their global operations, the UNCTC focused a number of resources on host country capacity-building, including providing best practices on negotiating with and regulating TNCs, and on creating a code of conduct so that “activities of corporations might be made accountable to the international community.”<sup>179</sup>

The notion of developing a code of conduct for TNCs via the UNCTC was a highly contested and debated topic within the GEP.<sup>180</sup> Negotiations held by the GEP on the development of the code eventually broke down; one of the primary causes for the failure was the insistence by G77 states on the code being legally binding, while developed states argued against any outcome documents being internationally binding.<sup>181</sup> In 1976, the UNCTC released a Report to the Secretariat entitled *Transnational Corporations: Issues Involved in the Formulation of a Code*. The report details background information justifying the need for a code, stating that a code of conduct would provide international unity to laws and policies as they relate to TNCs.<sup>182</sup> Also detailed are the challenges which arise in the efforts to create a code of conduct, specifically focusing on the conflicting demands on TNCs and their affiliates to adhere to both the home and host states’ legislative practices.<sup>183</sup> Specifically, this poses a challenge to TNCs to ensure that the foreign affiliates which they operate adhere to the laws within the host state, while at the same time following the laws of the parent state which may extend extraterritorially.<sup>184</sup> Finally, further concern was raised with respect to the use of foreign affiliates by parent states as tools of foreign and economic policy influence with host states.<sup>185</sup>

Another significant publication by the UNCTC was the 1992 report *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*. The report put forth five key recommendations on ways TNCs could focus on and achieve sustainable development: (a) global corporate environmental management: whereby a firm strives to develop and enact a corporate wide sustainable development policy, which is integrated into development goals as well as compensatory packages for senior officials; (b) risk and hazard minimization whereby firms look to analyze hazardous processes and begin to anticipate and assess the environmental risks of such processes, and further look to alternate methods of production to eliminate such hazards ; (c) environmentally sound consumption patterns, which involved firms promoting an awareness within the employee base as well as with local communities on the environmental impacts of the firm’s products, and on steps that should be taken to promote a sustainable lifestyle; (d) full-cost environmental accounting, which encouraged firms to integrate all environmental costs into the corporate accounting process, especially where natural resources were used in corporate processes; and (e) environmental conventions, standards and guidelines, whereby development of new overarching policies is encouraged, both on the national and international scale, as well as encouragement of compliance with existing regulations and policies.<sup>186</sup> It advises that greater strides can be made in the environmental arena through

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<sup>176</sup> United Nations Conference on Trade and Development, *UNCTC Origins*, 2002.

<sup>177</sup> United Nations Conference on Trade and Development, *UNCTC Origins*, 2002.

<sup>178</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, p. 90.

<sup>179</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, pp. 107 and 109.

<sup>180</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, p. 109.

<sup>181</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, p. 110.

<sup>182</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17), 1976, p. 9, clause 21. Please ital. the doc codes, too.

<sup>183</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17), 1976, p. 19, clause 67.

<sup>184</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17), 1976, p. 30, clause 128.

<sup>185</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17), 1976, p. 31, clause 131, 132.

<sup>186</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*, (E/C. 10/1992/2), 1992. p. 4, clause 5.

collaborative efforts by TNCs as a whole.<sup>187</sup> Further, it was found that corporate-wide policies must be mandated by individual firms to reaffirm the commitment to promoting sustainable development practices.<sup>188</sup> The report concludes by making recommendations for the means of implementation of such schemes, including investment into research and development (R&D), accountability standards, and follow-up progress surveys.<sup>189</sup>

### ***Present Day UN Actions***

Today, the operations of the UNCTC and the Programme on Transnational Corporations fall under the jurisdiction of the United Nations Conference on Trade and Development (UNCTAD).<sup>190</sup> The organization continues the research and expansion of knowledge, which arose from the UNCTC, including the continued publishing of the World Investment Reports, a series of journals on TNCs and Foreign Direct Investment (FDI) established by the UNCTC.<sup>191</sup> UNCTAD has a broader focus and mandate than the UNCTC; its focus expands beyond the scope of TNCs to global trade and the integration of developing states into the world economy.<sup>192</sup> Additionally, UNCTAD not only contributes to research and policy analysis, but also provides a forum for intergovernmental talks and negotiations as well as technical assistance to host states.<sup>193</sup>

The second significant initiative put forth by the UN is the United Nations Global Compact (UNGC). The UNGC was launched in July 2000 with the goal of providing a “policy platform and practical framework for companies that are committed to sustainability and responsible business practices.”<sup>194</sup> It creates partnerships between governments, corporations and businesses, industry organizations, civil society, and the United Nations to conceive, discuss, and implement sustainable business practices on a uniform level.<sup>195</sup> It is important to note that the UNGC is neither binding nor regulatory, but rather a voluntary framework propelled by individual participatory initiative.<sup>196</sup> The UNGC is founded on 10 basic principles that cover the areas of human rights, labor, environment and anti-corruption.<sup>197</sup> Each principle focuses on an idea that brings together the link between day-to-day business activities and sustainable corporate practice.<sup>198</sup>

Other organizations outside of the UN have also taken an interest in addressing the issue of TNCs, governance, and sustainable development. The Organization for Economic Cooperation and Development (OECD) has been a leader in developing guidelines for multinational corporations. In 2000, OECD developed the Guidelines for Multinational Enterprises, which are “voluntary principles and standards for responsible business conduct consistent with applicable laws.”<sup>199</sup> The guidelines strive to provide a framework of reference for multinational corporations to work in cooperation with each society in which they operate to align their business practices with sustainable processes in social, economic and environmental practices.<sup>200</sup> Within each of these areas, it is stressed that enterprises should focus on timely communication and dissemination of information to their employees and the public.<sup>201</sup> While the guidelines are non-binding, there are recommendations for adhering states on implementation.<sup>202</sup> The two core recommendations on implementation are the creation of an Investment Committee,

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<sup>187</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*, (E/C. 10/1992/2), 1992, p. 3, clause 5.

<sup>188</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*, (E/C. 10/1992/2), 1992, p. 4, clause 8(a).

<sup>189</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*, (E/C. 10/1992/2), 1992, p. 22.

<sup>190</sup> United Nations Economic and Social Council, *Integration of the Commission on Transnational Corporations into the institutional machinery of the United Nations Conference on Trade and Development 1994/1*, 1994. Please format corresponding sources accordingly

<sup>191</sup> United Nations Conference on Trade and Development, *UNCTC Evolution*, 2002.

<sup>192</sup> United Nations Conference on Trade and Development, *About UNCTAD*, n.d.

<sup>193</sup> United Nations Conference on Trade and Development, *About UNCTAD*, n.d.

<sup>194</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 1.

<sup>195</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 1-2.

<sup>196</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 1.

<sup>197</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 6.

<sup>198</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 1.

<sup>199</sup> OECD, *OECD Guidelines for Multinational Enterprises*, 2008, p. 9.

<sup>200</sup> OECD, *OECD Guidelines for Multinational Enterprises*, 2008, p. 9.

<sup>201</sup> OECD, *OECD Guidelines for Multinational Enterprises*, 2008, p. 9.

<sup>202</sup> OECD, *OECD Guidelines for Multinational Enterprises*, 2008, p. 15.



which is to focus on periodic reviews of the guidelines, as well as liaising with external OECD advisory bodies for their views; and the creation of National Contact Points, which are to be set up by adherent states to provide information, answers to inquiries, and a forum for discussion on the guidelines.<sup>203</sup> In June 2010, the OECD held a Roundtable on Corporate Responsibility in Paris to review the Terms of Reference for an Update to the Guidelines, which had been drafted in April 2010.<sup>204</sup> The Terms of Reference included a number of recommendations for substantive changes to the guidelines, ranging from anti-corruption and taxation to human rights and consumer interests.<sup>205</sup> The Terms of Reference also included recommendations for updating the implementation provisions of the guidelines, specifically focusing on easing implementation for adhering states and encouraging implementation for non-adhering states.<sup>206</sup>

### ***Key Industry: Textiles***

One of the key industries in which TNCs face significant criticisms is the textile industry, with the most prominent criticisms directed at low wages, exploitation of female workers, poor working conditions throughout the supply chain and little to no job security.<sup>207</sup> The problems within the industry exist in widespread through many corporations, but are most severely concentrated within the largest transnational corporations, such as corporate giants including Wal-Mart and Carrefour.<sup>208</sup> As previously noted, some of the largest operating economies today are those of transnational corporations, and textile corporations are no exception, often turning higher profits in a single year than the GDPs of the garment-exporting countries in which they operate; this size allows for the economies of scale principle to operate, ensuring low-cost products.<sup>209</sup> However, the low costs and high profits are marked by serious criticisms with respect to corporate operations. These concerns include the lack of unions and the harsh working conditions within the factories; however they also can expand to things such as environmental hazards and farming practices.<sup>210</sup> One example of actions that prompt these criticisms was in Bangalore, India where in 2007 it was estimated that the bare minimum living wage for an average family would be about €80/month while the average garment worker earned barely €42/month.<sup>211</sup> Another similar example arose in Lesotho, where workers earned only \$0.27 per pair of jeans produced for the Gap, where they were then sold for \$39.<sup>212</sup> These types of operations are wholly unsustainable at a human level, as workers are exhausted, abused and run down.<sup>213</sup>

While there has been some progress by corporations towards the path of corporate social responsibility (CSR) and sustainable development and expansion, much of this progress has been rhetoric rather than reliable action.<sup>214</sup> Further, some corporations fail to “buy into” the need for social responsibility’ an example of this is the 2001 social report of Nike, which states, “...there is considerable debate about the wisdom of basing income on need. Some [Nike] stakeholders argue a unilateral move to a living wage policy would be foolhardy, because it would drive prices up, margins down, and ultimately mean a less successful company creating fewer jobs.”<sup>215</sup> One step that most TNCs have taken up is to develop individual codes of conduct, or codes of ethics, which reflect broadly an alignment with principles of CSR; however most of the codes, including the aforementioned Wal-Mart and Carrefour, remain ambiguous on specific labour or social issues.<sup>216</sup> Other, joint and multi stakeholder initiatives have been advanced by some TNCs in an effort for joint cooperation on codes of conduct and policy compliance such as the Global Social Compliance Programme or the Jo-In initiative; however, these initiatives have been criticized for their lack of specific improvements to the industry and its processes.<sup>217</sup>

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<sup>203</sup> OECD *OECD Guidelines for Multinational Enterprises*, 2008, p. 30.

<sup>204</sup> OECD, *10<sup>th</sup> OECD Roundtable on Corporate Responsibility*, 2010.

<sup>205</sup> OECD, *Terms of Reference for an Update of the OCED Guidelines for Multinational Enterprises*, 2010, p. 3-5.

<sup>206</sup> OECD, *Terms of Reference for an Update of the OCED Guidelines for Multinational Enterprises*, 2010, p. 5-7.

<sup>207</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 6-8.

<sup>208</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 12.

<sup>209</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 15.

<sup>210</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 18.

<sup>211</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009.

<sup>212</sup> Ascloy, *Critical Issues for the garment industry*, 2004, p 10.

<sup>213</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 29.

<sup>214</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 46.

<sup>215</sup> Ascloy, *Critical Issues for the garment industry*, 2004, p 11.

<sup>216</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 22.

<sup>217</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 24.

Outside of the realm of TNCs, other campaigns and organizations have originated at a grassroots level to encourage the development of stricter policies and increase corporate adherence to existing and potential policies. One of the most prominent of these campaigns is the Clean Clothes Campaign (CCC), founded in 1989 as an alliance of 15 European countries.<sup>218</sup> The CCC has worked hard to raise awareness among both consumers and governments to mobilize action in reforming TNCs.<sup>219</sup> As a result of a number of studies and publications, the CCC has several put forth several recommendations for improvement in the textiles industry including the installation of labor standards, access for freedom of association and review of corporate hiring and firing policies, wage and working condition improvements and security for employment.<sup>220</sup>

### **Case Study: Chiquita**

Chiquita Brands International is an international producer and distributor of fresh and processed foods, most prominently known for their production of bananas.<sup>221</sup> The Chiquita brand that exists today emerged in 1984 from both the United Fruit Company and the United Brand Company.<sup>222</sup> The United Fruit Company was historically alleged to engage in unethical and monopolizing business practices in its banana operations in Colombia throughout the early twentieth century.<sup>223</sup> Poor labor practices, the exploitation of workers and land, and corruption characterized much of the business done by the United Fruit Company.<sup>224</sup> This behavior was characterized by events such as the 1928 labor rights suppression known as the Banana Massacre, the involvement in the 1954 overthrow of the Guatemalan government, and the bribery scandal in 1975 in the Honduras.<sup>225</sup> In 1992, there was a shift in Chiquita's business practices as they took a step in the direction of corporate responsibility when they joined the U.S.-based NGO Rainforest Alliance and began participation in the Better Banana Project (BBP), which focused on the development of sustainable agriculture practices and better working conditions.<sup>226</sup> Propelled by the BBP and collaboration between the Rainforest Alliance and Chiquita management, the company began in 1998 to revamp its core values and principles away from a sole focus on profitability and widened their focus to include principles of social responsibility and sustainable practices.<sup>227</sup> Further, the financial obscurity and lack of transparency which had characterized the company throughout the 1980s and 1990s began to fade away as Chiquita opened itself to audits by NGOs and independent parties.<sup>228</sup>

The biggest push for reform for Chiquita came when the banana giant was faced with losing shares of banana markets in Europe as a result of the new European Communities' (EC) banana import system in 1993 coupled with the company's declining social image with European consumers.<sup>229</sup> The EC set up a tariff quota on bananas: one quota for the traditional "ACP" countries (former African, Caribbean and Pacific colonies) and one for all other countries, which significantly disadvantaged Chiquita, which produced its bananas in Latin America.<sup>230</sup> While other companies such as Del Monte and Dole began to diversify production to non-Latin American states, Chiquita set about dealing with their market losses in two ways.<sup>231</sup> The first step Chiquita took was an attempt to lobby to challenge the tariff system.<sup>232</sup> This strategy showed little success; Chiquita's market share in the EC had dropped from 30% in 1992 to 15% in 1997.<sup>233</sup> Chiquita's second strategy at regaining the EC markets was to restore its image with European consumers by engaging in responsible corporate practices, as proponents of the EC tariff system argued that the ACP firms were able to use the policies to their advantage, and ensure fair trade and worker

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<sup>218</sup> Clean Clothes Campaign, *Who we are*

<sup>219</sup> Clean Clothes Campaign, *Who we are*

<sup>220</sup> Hearson, *Cashing In- Giant retailers, purchasing practices and working conditions in the garment industry*, 2009, p. 60.

<sup>221</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 247.

<sup>222</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 247.

<sup>223</sup> Bucheli, *Enforcing Business Contracts in South America: The United Fruit Company and Colombian Banana Planters in the Twentieth Century*, 2004.

<sup>224</sup> Bucheli, *Enforcing Business Contracts in South America: The United Fruit Company and Colombian Banana Planters in the Twentieth Century*, 2004.

<sup>225</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 249.

<sup>226</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 252.

<sup>227</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 252.

<sup>228</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 252.

<sup>229</sup> Riisgaard, *The IUF/COLSIBA – CHIQUITA framework agreement: a case study*, 2004, p.9.

<sup>230</sup> Riisgaard, *The IUF/COLSIBA – CHIQUITA framework agreement: a case study*, 2004, p.9.

<sup>231</sup> Riisgaard, *The IUF/COLSIBA – CHIQUITA framework agreement: a case study*, 2004, p.9.

<sup>232</sup> Arias, *The world banana economy 1985-2002*, p. 68.

<sup>233</sup> Arias, *The world banana economy 1985-2002*, p. 68.

protection, something that the other TNCs had ignored.<sup>234</sup> Due to the negative media attention, along with the fear of further losses in the European markets, Chiquita – initially very reluctant, embarked on a path of greater social and environmental accountability.<sup>235</sup> In addition to participation in the BBP, the company adopted the SA 8000 (an internationally recognized Social Accountability standard) as well as signing the COLISBA/IUF labor and production agreement with Latin American farmers.<sup>236</sup>

By 2000, Chiquita had reformed its own code of conduct to include the scope of social responsibility, including reforms in the area of safety and labor standards, environmental protection, and financial compliance.<sup>237</sup> In 2001, when the EC reformed its tariff system, Chiquita managed to regain its position within the EC markets, to a level resembling that of 1993, which was significantly supported by the company's dedication to corporate social reform.<sup>238</sup> Chiquita's commitment to social responsibility and their interaction with NGOs in the arena of sustainable development led the Association of Chartered Accountants (ACCA) to recognize Chiquita's 2006 CSR Report as one of only seven reports that year to be classified as "excellent."

### ***Looking to the Future***

One of the most important recurring themes which have emerged through the work done by the UNCTC and UNCTAD on TNCs has been the focus on developing a set of uniform standards by which TNCs should operate; this is best exemplified by the work done on the code of conduct.<sup>239</sup> The problem in the past was the compromise between formulating regulatory or voluntary standards and aligning these standards with widely-varying national domestic legal regimes that each of these paths would have with respect to national laws.<sup>240</sup> Furthermore, it is clear from the work already done that sustainable development must focus not only on preserving the environment, but also on strengthening developing states in their bargaining and institutional framework, and additionally looking at the social and human rights impacts of any business activity.<sup>241</sup> To date, UNCTAD has continued the research of information and best practices of the UNCTC through the regular publications of the World Investment Report (WIR) series, as well as the Transnational Corporations Journal.<sup>242</sup> Additionally, as previously mentioned, the UNGC has made significant strides in bringing together business, NGOs, and governments on progress for sustainable development.<sup>243</sup>

In the last decade, TNCs have exhibited significant changes in their structures, practices, and problems, and looking forward, the UN should look to refine and realign its programmes on TNCs to meet these new challenges; for example, looking to consolidate the programmes pursued between UNCTAD and the United Nations Industrial Development Organization (UNIDO) as well as provide a forum for communication.<sup>244</sup> Important questions to consider are how the UN can harmonize its operations and programs within the context of transnational corporations and social responsibility and develop unified policies without infringing upon state sovereignty; and considering how those policies should be implemented and determining the responsibilities of states and those of corporations. Finally, it is important to consider how and through what capacity TNCs can be held accountable for their commitments, and what role international organizations will play in this.

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<sup>234</sup> Riisgaard, *The IUF/COLSIBA – CHIQUITA framework agreement: a case study*, 2004, p.9.

<sup>235</sup> Arias, *The world banana economy 1985-2002*, p. 74-75.

<sup>236</sup> Riisgaard, *The IUF/COLSIBA – CHIQUITA framework agreement: a case study*, 2004, p.8-10.

<sup>237</sup> Werre, *Implementing Corporate Responsibility –The Chiquita Case*, 2003, p. 255.

<sup>238</sup> Arias, *The world banana economy 1985-2002*, p. 70.

<sup>239</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, p. 204.

<sup>240</sup> United Nations Economic and Social Council: Centre on Transnational Corporations, *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17), 1976.

<sup>241</sup> United Nations Conference on Environment and Development, *Agenda 21*, 1993, chapter 30.

<sup>242</sup> United Nations Conference on Trade and Development, *About UNCTAD*, n.d.

<sup>243</sup> United Nations Global Compact, *Corporate Citizenship in the World Economy*, 2008, p. 6.

<sup>244</sup> Sagafi-Nejad, *The UN and Transnational Corporations*, 2008, p. 214.

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*This document contains information on the origin and function of the United Nations. The first chapter contains the purpose of the United Nations while dissecting each branch that encompasses the United Nations. Chapter III, article 7 illustrates the beginnings of the General Assembly power to create subsidiary organs while Chapter IV, article 22, allocates the six main subsidiary organs of the General Assembly and its purpose.*

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*Part of the United Nations site, this page yields a brief but informative analysis of the General Assembly second committee. Within this committee, its emphasis is Economic and Financial but also considers various issues dealing with least developed countries as well as land locked countries. Currently, H.E. Mr. Park In-kook presides as chairman of the Second Committee.*

United Nations General Assembly. (N.D.). *Main Committees*. Retrieved on August 1, 2010, from <http://www.un.org/ga/maincommittees.shtml>

*The main committees' page explains the six main branches of the General Assembly and its responsibilities of each. Within this webpage, there are tabs that lead to a more detailed description of each subsidiary organ. In addition, it provides distinct links to the Credentials committee and the General Committee giving a small composition of both.*

United Nations, Economic and Financial UN General Assembly 64th Session - Second Committee.

Retrieved on August 2, 2010 from <http://www.un.org/ga/second/63/reports.shtml>

*This web address is a hub for the most recent activity of the Second Committee. There are several other links within this page that provide documented agendas and draft resolutions. A/64/416 addresses the current motions of the Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.*

United Nations. (N.D.) *Development*. Retrieved on August 2, 2010 from

<http://www.un.org/en/development/index.shtml>

*This website gives current updates on the General Assembly Committees, and offers links to various articles that entail International Trade, Macroeconomics and Finance. It offers other resources to published articles and conferences and summits pertaining to different topics as seen fit.*

United Nations, Latest News. (n.d.), *United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development*, Retrieved November 30, 2010 from <http://www.un.org/ga/econcrisissummit/>

*An excellent source that lightly covers the United Nations response to the international financial crisis in 2009. The page gives brief information on the June 2009 conference which discussed the impact of the crisis on developing states in particular. The page also alludes to the December 2008 conference where the mandate for the United Nations Conference on the World Financial and Economic Crisis and Its Impact on Development was made. Finally the page offers a link to the outcome document of the 2009 conference.*

## ***I. Ensuring Developing Countries' Sovereignty Over Their Natural Resources***

AAP. (2009). *New President Brings Panguna Together*. Retrieved August 18, 2010, from <http://tvnz.co.nz/world-news/new-president-brings-panguna-together-2486821?cfb=3>

*This source is an article documenting recent history in the Bougainville region. Feuding landowner groups who shut down the massive Panguna copper mine and sparked a decade-long civil war with Papua New Guinea defense forces have shown unity to reconcile for the first time. Bougainville's newly-elected President James Tanis said in Port Moresby on Friday, 13 February 2009 the region's crucial reconciliation process had taken a step forward when Panguna landowner factions agreed to work together.*

Amnesty International. (2009). *Nigeria: Petroleum, Pollution and Poverty in the Niger Delta*. Retrieved October 1, 2010, from <http://www.amnesty.org/en/library/asset/AFR44/017/2009/en/e2415061-da5c-44f8-a73c-a7a4766ee21d/afr440172009en.pdf>

*Amnesty International produced this report in 2009, addressing the consequences of the oil industry's conduct in Nigeria. The report addresses the context and background of the current situation in Nigeria, and then explains that current situation, comprising human rights violations, environmental damage, and socio-economic stratification. The source was used primarily for its historical information on the trial and execution of Ken Saro-Wiwa, as well as for information on the lack of equitable distribution of oil revenue.*

BBC. (2005). *President Elected in Bougainville*. Retrieved August 8, 2010, from <http://news.bbc.co.uk/2/hi/asia-pacific/4612685.stm>

*This source is a news article documenting the Presidential election in Bougainville's autonomous government's elections. Separatist leader Joseph Kabui defeated former Governor John Momis to become the first President of Bougainville Autonomous Region within Papua New Guinea. Voting lasted two weeks due to the distance between some residential areas and the limited polling stations for the election, which was a part of the UN-brokered peace deal for the previously antagonistic parties.*

BBC. (2005). *PNG Island Vote Tests Peace Deal*. Retrieved August 8, 2010, from <http://news.bbc.co.uk/2/hi/asia-pacific/4568405.stm>

*This source is a BBC article documenting the election during the voting period to elect the first President of autonomous Bougainville. Despite the prominence of candidate Joseph Kabui, a former separatist, many separatists were calling for a boycott of the elections due to Bougainville's autonomous but not independent status within the Papua New Guinea government. Delegates will find this source useful as a contemporary international source on the election before the outcome was known.*

BBC News. (2009). *Shell settles Nigeria deaths case*. Retrieved October 2, 2010, from <http://news.bbc.co.uk/2/hi/africa/8090493.stm>

*BBC News reported on 9 June 2009 of a settlement reached in an American court between Royal Dutch Shell and the families of the Ogoni Nine. Shell settled for \$15.5 million US without admitting to any complicity in the death of the Ogoni Nine, likening their settlement to a humanitarian gesture. The trial was brought due to a 18th-century US law allowing foreign nationals to sue in American court for actions against human rights taking place outside the United States, and ended with the litigants claiming 'victory' for the conclusion of the 13-year court case.*

CBC News. (2007). *The Price of Oil*. Retrieved August 21, 2010, from <http://www.cbc.ca/news/background/oil/>

*Published by the Canadian Broadcasting Corporation, this article provides an in-depth overview of the situation that year for the oil market. Additionally, the article discusses the historical context for global oil prices, from the 1970's crisis onwards. This article is helpful to any delegate doing research on this topic with a particular interest in oil and the history of its role.*



Conciliation Resources. (n.d.). *Accord Papua New Guinea – Bougainville Project*. Retrieved August 5, 2010, from <http://www.c-r.org/our-work/accord/png-bougainville/index.php>

*Conciliation Resources is an NGO whose purpose is to document ongoing and completed peace processes and educating peacemakers and the public on the progresses and failings of certain plans to influence future attempts at peacemaking. This particular source focuses on the Bougainville conflict and attempts to create a sustainable peace at the end of a decade of conflict. Delegates will find this source useful to learning about international efforts to end the conflict in Bougainville prior to the election process.*

De Luce, D. (2003). *The spectre of Operation Ajax*. Retrieved August 21, 2010, from <http://www.guardian.co.uk/politics/2003/aug/20/foreignpolicy.iran>

*Published in 2003 in the Guardian, author Dan De Luce provides an overview of Operation Ajax, which was undertaken by the United States and United Kingdom in 1953, and led to the toppling of Iran's first democratic government. The situation was triggered by the insistence of the democratically elected government of Mohammad Mossadegh that Iran should profit from its oil reserves, which had previously been controlled exclusively by the Anglo-Iranian Oil Company. This article highlights the practical implications of conflict when it is spurred by natural resources conflict, particularly sovereignty over natural resources.*

Elian, G. *The Principle of Sovereignty over Natural Resources*. The Netherlands: Sijthoff and Noordhoff, 1979. Retrieved August 2, 2010, from

[http://books.google.com/books?id=Hh1ekW\\_RpzsC&lpg=PP1&dq=The%20principle%20of%20sovereignty%20over%20natural%20resources%20By%20Gheorghe%20Elian&pg=PP1#v=onepage&q&f=false](http://books.google.com/books?id=Hh1ekW_RpzsC&lpg=PP1&dq=The%20principle%20of%20sovereignty%20over%20natural%20resources%20By%20Gheorghe%20Elian&pg=PP1#v=onepage&q&f=false)

*This source is a book explaining both the theoretical conception of sovereignty over natural resources and specific case studies. This document was used in writing the section of the background materials related to the 1970s Oil Crisis. Delegates will find this source useful in drawing links between UN resolutions such as GA Resolution 3171 and real-world actions, as well as evaluating the evolution of UN action on the topic.*

Entine, Jon. (2009). *Seeds of NGO Activism: Shell Capitulates in Saro-Wiwa Case*. Retrieved October 1, 2010, from [http://www.globalgovernancewatch.org/ngo\\_watch/seeds-of-ngo-activism-shell-capitulates-in-sarowiwa-case](http://www.globalgovernancewatch.org/ngo_watch/seeds-of-ngo-activism-shell-capitulates-in-sarowiwa-case)

*Similar to the sources from Ed Pilkington and BBC News, this source is written about the court case brought by families of the Ogoni Nine during the 1990s against Royal Dutch Shell, and was published soon after the settlement in the case in 2009. The author, however, views the case and the executions of the Ogoni Nine as catalyzing events in the 'awakening' of human rights and environmental activists, describing specific actions taken by Greenpeace, MOSOP, and other NGOs before and after the executions. Delegates will find this source useful for a perspective on civil society involvement before, during and after the Saro-Wiwa trial & execution.*

Government of Australia. (n.d.). *Origins of the Bougainville Conflict*. Retrieved August 14, 2010, from <http://dl.screenaustralia.gov.au/module/357/>

*This source is a portion of a documentary on the Bougainville conflict, maintained by the Government of Australia, a regional power. It tracks the development of the environmental impact of a copper mine and opposition to it amongst the local residents, and how that disagreement developed into civil war and eventually into the Bougainville Autonomous Region. Numerous 'stereotypical' consequences of mining, from the loss of traditional ways of life to the change in the environment and ecosystem, to the imbalance of profit-sharing, are discussed in the Bougainville context.*

Government of the Independent State of Papua New Guinea and Leaders representing the people of Bougainville. *Bougainville Peace Agreement*. 30 August 2001. Retrieved October 1, 2010, from

<http://www.pm.gov.pg/images/bpainnationalgazette-14nov01-1.pdf>

*Signed in 2001 by the Government of Papua New Guinea and leaders representing the people of Bougainville, this peace agreement has as its main aim to end the conflict both between the parties, and within Bougainville itself. The agreement guarantees several things, including autonomy for Bougainville and the possibility of a referendum in between 10 – 15 years following*



*the signing of the agreement. The constitutional arrangements for Bougainville can only be changed if Bougainville agrees, thus protecting the agreement from outside interests.*

Government of Nigeria. (1999). *Constitution of the Federal Republic of Nigeria*. Retrieved September 27, 2010, from <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>

*This source is the Nigerian Constitution, passed in 1999 as part of the process of transfer from military dictatorships such as that of Sani Abacha to the eventual democratic system existing today. In Article 44, property rights are clearly defined, including that all natural resources are controlled by the federal government. This clause, which restricts individual and sub-national entities and governments from controlling natural resources, has had a major impact on the distribution of wealth from resources in Nigeria, leading to increased wealth disproportionality and a large divide in income and wealth between the rich and poor while simultaneously promoting corruption in the Nigerian federal government.*

GTZ. (n.d). *Bougainville / Papua New Guinea*. Retrieved August 14, 2010, from <http://www.gtz.de/de/dokumente/en-crisis-bougainville.pdf>

*This source is a fact sheet on the Bougainville conflict and was used in the writing of that portion of the background materials. It concentrates less on the conflict and more upon the region and the context in which the conflict developed and happened, providing useful background on some of the reasons why minerals can interact with cultural and environmental concerns to fuel conflict. It is also the primary source used for certain cultural traits of the people of Bougainville, such as their matrilineal culture and the peace movement among the people during the conflict.*

Hilson, C. (2006). Mining and Civil Conflict: Revisiting Grievance at Bougainville. *Minerals & Energy*, 21(2), 23-35.

*This paper explores the drivers of civil conflict on the island of Bougainville in PNG. While not a 'popular' or 'traditional' example used for exploring the various dimensions of civil violence prevalent in resource-rich developing countries, Bougainville is, however, a unique case, which has proved difficult to reconcile with conventional explanations of causation. This article provides a great overview for delegates on the conflict and successfully links it with natural resources.*

Movement for the Survival of the Ogoni People. (n.d.). *MOSOP Website*. Retrieved September 29, 2010, from <http://www.mosop.org>

*The Movement for the Survival of the Ogoni People (MOSOP) was founded in 1990 to promote the Ogoni Bill of Rights, an advocacy platform used to lobby the federal government to improve the life of the Ogoni people based in the Niger Delta. A prominent figure in the founding of MOSOP and its existence until his death, Ken Saro-Wiwa is still prominent on the Web site and in MOSOP materials and advocacy. The source was used for more information on the Ogoni movement and the broader struggle against Shell Oil in Nigeria.*

O'Neill, Tom. (2007). *Curse of the Black Gold: Hope and betrayal on the Niger Delta*. Retrieved September 28, 2010, from <http://ngm.nationalgeographic.com/2007/02/nigerian-oil/oneill-text>

*In February 2007, Tom O'Neill of National Geographic magazine chronicled his journey to the Niger Delta in this article, "Curse of the Black Gold." In it he described the impacts to infrastructure, society, economic status and standard of living caused by the oil extraction industry in the Niger Delta. O'Neill also concentrated on the specific impacts to minority groups in the Delta, with brief historical notes that relate to the Saro-Wiwa execution as well. The subtitle of the document refers to the high hopes held by many of the wealth that oil would bring, and the reality that the wealth is not held by or distributed to those who need it most in Nigeria - the resident population of the Delta itself.*

Organization of American States. (1948). *Charter of the Organization of American States*. Retrieved August 20, 2010, from [http://www.oas.org/dil/treaties\\_A-41\\_Charter\\_of\\_the\\_Organization\\_of\\_American\\_States.htm](http://www.oas.org/dil/treaties_A-41_Charter_of_the_Organization_of_American_States.htm).

*The Charter of the Organization of American States (OAS), originally signed in 1948 by 21 countries, lays out the principles by which the OAS is governed. Further amended in 1967, 1985,*

1992 and 1997, the Charter provides a comprehensive overview of the nature and purpose of the organization, as well as the structure. Of particular relevance to this topic is Chapter IV, which addresses numerous references to state control over their territory.

Osmańczyk, Edmund Jan, and Anthony Mango. *Encyclopedia of the United Nations and International Agreements: A to F*. New York: Routledge, 2003. 3<sup>rd</sup> Edition. Retrieved August 3, 2010, from <http://books.google.com/books?id=aDwDmuOEheIC&lpg=PA1493&ots=vjkNtwSVb8&dq=Encyclopedia%20of%20the%20United%20Nations%20and%20International%20Agreements%3A%20to%20F&pg=PA1553#v=onepage&q&f=false>

*This source chronicles numerous international agreements, including those spearheaded by the United Nations. It also includes UN actions that are now international norms on issues such as natural resource sovereignty. Specifically, this source outlined the Programme of Action for the Implementation of a New Economic Order, a General Assembly action that additionally supported the right to sovereignty over natural resources. Delegates will find this source helpful for additional reaffirmations of specific rights to natural resources.*

Permanent Mission of Israel to the United Nations. (2009). *Statement by Dr. Uri Resnick, Ministry of Foreign Affairs, on "Permanent Sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources."* Retrieved September 26, 2010, from <http://israel-un.mfa.gov.il/statements-at-the-united-nations/general-assembly/172-2ndcomm-1027>

*This source is a statement by Dr. Uri Resnick to the Second Committee on the topic of Palestinian sovereignty over their natural resources. In it, Israel demonstrates two primary themes: first, their dismissal of the topic on the grounds that it is politically motivated, and secondly, a defense of their conduct with regards to the Palestinian people on natural resource issues. Resnick highlights the number of projects in which Israel worked on resource distribution activities and infrastructure development projects alongside Palestine, and closed by describing the topic itself as "discriminatory" against Israel.*

Permanent Mission of Israel to the United Nations. (2009). *Statement by Ms. Shuli Davidovich, Counsellor, on "Explanation of Vote on A/C.2/64/L.12."* Retrieved September 26, 2010, from <http://israel-un.mfa.gov.il/statements-at-the-united-nations/general-assembly/200-second-committee-explanation-of-vote-on-ac264l20>

*Ms. Shuli Davidovich, Counsellor at the Israeli Permanent Mission to the United Nations, gave this statement to explain Israel's vote against A/C.2/64/L.12. In it, Davidovich describes the annual resolution as "the result of politicized objectives rather than professional conduct." Carrying forward a theme in Israel's statements on the topic, Davidovich repeatedly referred to the topic's inclusion as contrary to the professionalism of the Second Committee. Israel has consistently voted against the annual resolution on the topic of Palestinian permanent sovereignty over their natural resources.*

Pilkington, Ed. (2009). *Shell pays out \$15.5m over Saro-Wiwa killing*. Retrieved October 2, 2010, from <http://www.guardian.co.uk/world/2009/jun/08/nigeria-usa>

*This source is an article by Ed Pilkington in the UK Guardian newspaper on the settlement paid in 2009 by Royal Dutch Shell on a court case in the United States brought by the families of the Ogoni Nine. In addition to the details of the case, the article describes how roughly one-third of the money will be used to set up a trust fund to support the Ogoni people in the Niger Delta. The article also mentions analysis from human rights experts, who stated their belief that the case's settlement will lead to companies "seriously consider[ing] the social and environmental impact their operations may have on a community."*

Reddy, P. (2008). Reconciliation in Bougainville: Civil War, Peacekeeping and Restorative Justice. *Contemporary Justice Review*, 11(2), 117-130.

*According to the author, this article is meant to outline the case of Bougainville and demonstrate that restorative justice can positively contribute to the success of international interventions and peacekeeping missions. The international intervention in Bougainville is a unique example due to the fact that it was organized and implemented with societal reconciliation as one of its prime*

*aims. This article is useful not only in the case of Bougainville but broadly to demonstrate how thoughtful and deliberate interventions can be successful.*

Rotheroe, D. (1999). Paradise regained. *Geographical*, 71(6), 56.

*Since 1989, rebels on the island of Bougainville have been fighting for independence from Papua New Guinea. Rotheroe visited the island before the recent ceasefire and discovered the islanders waging an eco-war to save their land from industrial destruction. This source documents his views and analysis of the conflict.*

Schrijver, N. *Sovereignty Over Natural Resources: Balancing Rights and Duties*. Cambridge: Cambridge University Press, 1997. Retrieved August 3, 2010, from <http://catdir.loc.gov/catdir/samples/cam034/96033595.pdf>

*This document is a book that outlines the principle of sovereignty's applicability to natural resources. It can be used to trace the development of thinking within the United Nations system from the era of state-based thinking through the inclusion of peoples seeking self-determination in those classes worthy of sovereignty. Delegates will find this source helpful as a chronicle of the specific UN actions taken on the subject of natural resource sovereignty.*

The Case Against Shell. (2009). *Shell's Environmental Devastation in Nigeria*. Retrieved September 30, 2010, from <http://wiwavshell.org/shell%E2%80%99s-environmental-devastation-in-nigeria/>

*The Case Against Shell is a website providing detailed accounts of the actions taken by Shell in Nigeria, describing them as causing "environmental destruction" as well as social unrest. The source specifically describes the "massive, brutal raids" against the Ogoni people, which it alleges were funded by Shell, though they were carried out by the Nigerian army. Accusing Shell of covering up their damages through "greenwashing" or claiming false environmental responsibility, the website makes a case against Shell and advocates for real lawsuits to gain compensation for environmental and human rights offenses.*

United Nations. (1966). *International Covenant on Civil and Political Rights*. Retrieved August 20, 2010, from <http://www2.ohchr.org/english/law/ccpr.htm>.

*The International Covenant on Civil and Political Rights was adopted by the United Nations General Assembly on 16 December 1966 and came into full force on 23 March 1976. The document commits all Member States who are party to the Covenant to respect the civil and political rights of individuals, including in particular, the right to life, and freedom of religion, speech and assembly. This document, along with the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights, composes the "International Bill of Human Rights" and is thus fundamental reading for any delegate.*

United Nations. (1966). *International Covenant on Economic, Social and Cultural Rights*. Retrieved August 20, 2010, from <http://www2.ohchr.org/english/law/cescr.htm>.

*The International Covenant on Economic, Social and Cultural Rights was adopted by the United Nations General Assembly in 1966, and came into full force on 3 January 1976. The treaty commits all parties to work towards granting economic, social and cultural rights to individuals. This document, along with the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights, composes the "International Bill of Human Rights" and is thus fundamental reading for any delegate.*

United Nations. Economic and Social Council. Commission on Human Rights. (1996). *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, Retrieved August 15, 2010, from

<http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/4c2d6083d96cde2f8025668d00304fce?Opendocument>

*The now-defunct Commission on Human Rights released this document after the report to that body by the Secretary-General's Special Rapporteur on the Bougainville conflict. The Special Rapporteur documented his visit in 1995 and reported on human rights, environmental issues and overall status of the conflict, as well as peace efforts at the time. This source was used in the Bougainville case study to explain the nature and severity of the conflict and its essential ties to extractive industry.*

United Nations. Economic and Social Council. (2004). *Indigenous peoples' permanent sovereignty over natural resources: Final report of the Special Rapporteur, Erica-Irene A. Daes*. Retrieved August 21, 2010, from <http://www.un.org/esa/socdev/unpfii/documents/Report%20by%20Erica%20Irene%20A.%20Daes.pdf>.

*This document is the final report of a study undertaken by the United Nations on indigenous peoples' permanent sovereignty over natural resources. It contains a discussion of the principles of permanent sovereignty over natural resources as applied to indigenous peoples and also provides an overview of responses received from Member States on the issue. The annexes in particular are useful for delegates as they provide relevant conclusions, guiding principles and recommendations for future action on this issue.*

United Nations General Assembly. (1997-2010). *Allocation of agenda items to the Second Committee*. Retrieved 20 September 2010 from [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/52/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/52/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/53/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/53/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/54/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/54/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/55/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/55/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/56/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/56/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/57/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/57/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/58/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/58/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/59/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/59/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/60/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/60/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/61/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/61/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/62/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/62/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/63/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/63/1&Submit=Search&Lang=E);

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/64/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/64/1&Submit=Search&Lang=E); and

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/C.2/65/1&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/C.2/65/1&Submit=Search&Lang=E)

*These items are the documents from the most recent fourteen sessions of the General Assembly allocating portions of the Assembly's agenda to the Second Committee. In each of the most recent sessions, the topic "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" was placed on the agenda, due to the passage of the previous year's annual draft resolution in the Assembly. Delegates will find this useful as an example of the Second Committee considering specific country cases rather than merely the broad principle of sovereignty over natural resources.*

United Nations. General Assembly. (1952). *General Assembly resolution 626 (VII) on the "Right to Exploit Freely Natural Wealth and Resources"* (A/RES/626). Retrieved August 18, 2010, from

<http://www.un.org/documents/ga/res/7/ares7.htm>.

*This resolution, adopted by the General Assembly in 1952, provides a legal framework for the rights of peoples and nations to permanent sovereignty over their own wealth through the nationalization or exploitations of their own resources. It is one of many resolutions which provide a concrete grounding for this issue within international law. On this topic, it is a seminal document that all delegates should refer to in their research.*

United Nations. General Assembly. (1958). *General Assembly resolution 1314 (XIII) on "Recommendations Concerning International Respect for the Rights of Peoples and Nations to Self-Determination"* (A/RES/1314).

Retrieved August 18, 2010, from: <http://www.un.org/documents/ga/res/13/ares13.htm>.

*This resolution, adopted in 1958, establishes a Commission composed of nine Member States to conduct a full survey of the status of this basic constituent of the right to self-determination. This committee was urged to provide recommendations on strengthening the implementation of relevant international conventions on this topic. Additionally, the resolution requests that regional commissions co-operate with the committee in completing its work within the time frame of one year.*



United Nations. General Assembly. (1960). *General Assembly resolution 1515 (XV) on "Concerted Action for Economic Development of Less Developed Countries"* (A/RES/1515). Retrieved August 20, 2010, from <http://www.unclef.com/documents/ga/res/15/ares15.htm>.

*This resolution, adopted in 1960, sets standards for the achievement of social and economic advancement through taking a myriad of actions both at a national and international level. These actions include increasing public and private capital, technical cooperation, and bi-lateral trade. Of particular interest to delegates is the relation this resolution has to the issue of sovereignty over natural resources.*

United Nations General Assembly. (1962). *General Assembly Resolution 1803 (XVII) on "Permanent Sovereignty Over Natural Resources"* (A/RES/1803). Retrieved August 3, 2010, from <http://www1.umn.edu/humanrts/instreet/c2psnr.htm>

*This General Assembly Resolution focuses on a number of specific rights related to sovereignty over natural resources. It explicitly acknowledges the rights of peoples and nations, not just of States, as well as outlines general ideas on nationalization, the right to which it supports. It also ties natural resources to international law, saying that violations of rights to sovereignty over natural resources are a violation of the UN Charter.*

United Nations. General Assembly. (1973). *General Assembly resolution 3171 (XXVIII) on "Permanent Sovereignty Over Natural Resources"* (A/RES/3171). Retrieved August 20, 2010, from <http://www.un.org/documents/ga/res/28/ares28.htm>.

*This resolution, adopted by the General Assembly in 1973, reaffirms the inalienable rights of States to sovereignty over their natural resources. Furthermore, the resolution highlights the duty that all States have to refrain from using force, armed aggression, economic coercion or other means to gain access to another country's natural resources. As a foundational resolution on this issue, delegates will find it very useful in their research.*

United Nations General Assembly. (2010). *Note by the Secretary-General: Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/65/72). Retrieved September 28, 2010, from <http://unispal.un.org/UNISPAL.NSF/0/310C6B1B5E201F6D85257762004F41DF>

*In resolution 2009/34, ECOSOC requested that the Secretary-General report to the General Assembly during the sixty-fourth session in 2009, which resulted in a request in A/RES/64/185 for a follow-up report at the 65th session, with both reports on the subject of the "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan." This report covers the casualty counts of the conflict, and economic and social impacts of the Israeli barrier in the West Bank. This source was used primarily for empirical data on the living conditions of the Palestinian people and economic effects of Israeli actions, including the statistic of a 53.8% drop in olive production.*

United Nations General Assembly. (2009). *Press Release: Second Committee approves text demanding that Israel stop exploiting, depleting, endangering natural resources in occupied Arab lands* (GA/EF/3268). Retrieved September 30, 2010, from <http://unispal.un.org/UNISPAL.NSF/0/DAAD2578527A69368525766D00732690/>

*This source is a press release from the General Assembly's 64th session in 2009, addressing the passage by the Second Committee of a resolution "demanding that Israel stop exploiting, depleting, endangering natural resources in occupied Arab lands." It records the vote count and notes which countries voted against the draft resolution, and also notes the linkage between Israeli actions' violation of the International Court of Justice's 2004 advisory opinion and the socio-economic effects of Israeli restrictions of Palestinian sovereignty over their natural resources. Delegates will find this press release most useful for a snapshot as to the Second Committee's views in late 2009 on the topic of Palestinian natural resource sovereignty.*

United Nations General Assembly. (2009). *Report of the Second Committee: Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in*

*the occupied Syrian Golan over their natural resources* (A/64/416). Retrieved September 29, 2010, from <http://www.un.org/Docs/journal/asp/ws.asp?m=A/64/416>

*Following the approval of the draft resolution in 2009 by the Second Committee, the Second Committee reported to the General Assembly Plenary on their work on the topic "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources." Rapporteur Denise McQuade of Ireland reported to the Plenary on the nature of debate, speakers and progression on the topic. This source was used in the text to supplement information on the work of the Second Committee in recent years and the progression of Second Committee work through the General Assembly Plenary.*

United Nations General Assembly. (2009). *Report prepared by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan* (A/64/77). Retrieved September 28, 2010, from

<http://unispal.un.org/UNISPAL.NSF/0/01AA11C6B9F0F455852575CB0069B133>

*General Assembly resolution 63/201 requested that the Secretary-General report to the Assembly in 2009 at its 64th session as to the implementation of ECOSOC resolution 2008/31. This source is that report, prepared by the Economic and Social Commission for Western Asia, on the topic of "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan." The report documents Israeli curfew and closure policy as well as the effects of these policies upon the economic status and security of the Palestinian people. It also provides evidence to demonstrate that Palestinian attacks have decreased on Israel in recent years as Israel-caused Palestinian casualties have increased. Delegates will find this source useful for documented evidence of violations of sovereign rights over natural resources committed by Israel against the Palestinians.*

United Nations General Assembly. (1972). *Resolution 3005 (XXVII): Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories*. Retrieved September 25, 2010 from <http://unispal.un.org/UNISPAL.NSF/0/901F9C7E2B8107ED0525680B0050F708>

*This document is General Assembly resolution 3005 (XXVII), passed on 15 December 1972. In it the Assembly affirmed Palestinian sovereignty over the natural resources in occupied territory for the first time. It also called upon member states not to cooperate with Israeli "exploit[ation] of their resources."*

United Nations General Assembly. (1973). *Resolution 3175 (XXVIII): Permanent sovereignty over natural resources in the occupied Arab territories*. Retrieved September 25, 2010, from

<http://unispal.un.org/UNISPAL.NSF/0/8F9EF0C2108AB49C852568C6006704CC>

*This document is General Assembly resolution 3175 (SSVIII), passed by the Assembly on 17 December 1973. The phrase "permanent sovereignty" was applied to Palestinians for the first time in this document, as well as applied to Arab States whose territory was under Israeli occupation following the 1967 and 1973 wars. Finally, this document also reaffirmed the illegality of Israeli exploitation of Palestinian resources.*

United Nations General Assembly. (1996-2010). *Resolutions adopted by the General Assembly at its 51st-64th session*. Retrieved September 29, 2010, from

<http://www.un.org/depts/dhl/resguide/r51.shtml>; <http://www.un.org/depts/dhl/resguide/r52.shtml>;  
<http://www.un.org/depts/dhl/resguide/r53.shtml>; <http://www.un.org/depts/dhl/resguide/r54.shtml>;  
<http://www.un.org/depts/dhl/resguide/r55.shtml>; <http://www.un.org/depts/dhl/resguide/r56.shtml>;  
<http://www.un.org/depts/dhl/resguide/r57.shtml>; <http://www.un.org/depts/dhl/resguide/r58.shtml>;  
<http://www.un.org/depts/dhl/resguide/r59.shtml>; <http://www.un.org/depts/dhl/resguide/r60.shtml>;  
<http://www.un.org/depts/dhl/resguide/r61.shtml>; <http://www.un.org/depts/dhl/resguide/r62.shtml>;  
<http://www.un.org/depts/dhl/resguide/r63.shtml>; and <http://www.un.org/depts/dhl/resguide/r64.shtml>.

*These documents are listings of resolutions passed in the 51<sup>st</sup>-64<sup>th</sup> sessions of the General Assembly Plenary, each of which shows the passage of the text known as the "annual resolution"*

on the topic of “Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources.” In addition to providing the source material for the resolutions, these sources were used to justify the assertion that there is a consistent upward trend in support within the General Assembly for the concept of Palestinian sovereignty over their natural resources. The vote counts and percentages for each resolution (presented as yes votes, no votes, and abstentions), as well as the document code and passage date, were:

General Assembly Resolution 51/190, 16 December 1996, 133-3-21 (84.7%);  
General Assembly Resolution 52/207, 18 December 1997, 137-2-14 (89.5%);  
General Assembly Resolution 53/196, 15 December 1998, 144-2-12 (91.1%);  
General Assembly Resolution 54/230, 22 December 1999, 132-3-5 (94.3%);  
General Assembly Resolution 55/209, 20 December 2000, 147-2-3 (96.7%);  
General Assembly Resolution 56/204, 21 December 2001, 148-4-4 (94.9%);  
General Assembly Resolution 57/269, 20 December 2002, 155-4-4 (95.1%);  
General Assembly Resolution 58/229, 23 December 2003, 157-4-10 (91.8%);  
General Assembly Resolution 59/251, 22 December 2004, 156-5-11 (90.7%);  
General Assembly Resolution 60/183, 22 December 2005, 156-6-8 (91.8%);  
General Assembly Resolution 61/184, 20 December 2006, 164-6-9 (91.6%);  
General Assembly Resolution 62/181, 19 December 2007, 166-7-6 (92.7%);  
General Assembly Resolution 63/201, 19 December 2008, 164-8-5 (92.7%);  
General Assembly Resolution 64/185, 21 December 2009, 165-8-7 (91.7%).

United Nations General Assembly. (2009). *Sixty-fourth General Assembly Plenary, 66th Meeting (GA/10907)*. Retrieved September 28, 2010, from <http://unispal.un.org/UNISPAL.NSF/0/22512CA1B3917C03852576A30051EFE7>

*This source is a record of the General Assembly Plenary's meeting of 21 December 2009, in which Rapporteur of the Second Committee Denise McQuade of Ireland presented the Second Committee's report to the Plenary. It notes the approval of the report along with a voting record, noting that Australia, Canada, Israel, the Marshall Islands, Micronesia, Nauru, Palau and the United States were the only states to vote against the report (there were also 7 abstentions and 12 states not present). Delegates will find this source useful to gain preliminary insight into country positions on the issue of Palestinian resource sovereignty.*

United States Department of Commerce, Bureau of Economic Analysis. (n.d.) *Gross Domestic Product Percent change from preceding period*. Retrieved October 1, 2010, from <http://www.bea.gov/national/index.htm>

*The US Department of Commerce's Bureau of Economic Analysis maintains records of US Gross Domestic Product (GDP) as well as data on trends in that subject. The latter data was used in the text to justify the conclusion that the 1973 oil shock had dramatic economic effects upon the United States. As a leader in the international economy in the early 1970s, the shock to the US economy also had negative effects upon the world's economy at large as well as the specific economies of other states.*

## **II. External Debt and Development: Towards a Durable Solution to the Debt Problems of Developing Countries**

Bjerg, C., Bjørnskov, C., and Holm, A. (2010). “Growth, Debt Burdens and Alleviating Effects of Foreign Aid in Least Developed Countries” *European Journal of Political Economy*, doi:10.1016/j.ejpoleco.2010.08.003 (in press)

*This article applies macroeconomic theory to the debt relief issue in an attempt to explore the growth effects of foreign aid. While all the econometrics are not necessary to understand for delegates, it is important to understand the conclusions that this paper draws and how debt relief can impact the economy of a country receiving aid. Additionally, this source can be trusted for the most up-to-date material as it is currently in press and thus contains recent data and ideas.*

Crane, B.B. (1984). “Policy Coordination by Major Western Powers in Bargaining with the Third World: Debt Relief and the Common Fund” *Cambridge University Press*, 38, p.399-438.

*This article discusses the opinions of many major nations on the idea of debt relief. While it is fairly dated, it still remains an important resource for delegates as it explains where the disparities lie amongst groups of countries. It also discusses the notion of the Common Fund and how several interpretations of this idea clash, which will give delegates an idea of the challenges faced when tackling this topic.*

Easterly, W. (2001). "Debt Relief" *Foreign Policy*, 127, 20-26.

*This article gives a scholarly outlook on the overall topic of debt relief. Certain sections of the article are a bit narrative so it should be examined with caution, but this unique view offers many interesting opinions on the topic. It presents many myths associated with the idea of debt relief and then refutes them, so it offers a good opposing argument to many ideas presented in other sources.*

European Network on Debt and Development. (2010). *Debt Sustainability*. Retrieved on August 3, 2010 from <http://www.eurodad.org/debt?id=118>

*This source gives the unique perspective on the topic from a network of 58 non-governmental organizations and 19 European countries. The discussion highlights the issue of debt sustainability as related to the Millennium Development Goals. A news feed which contains links to the latest 5 articles on debt sustainability is extremely useful to delegates if they wish to access the most recent literature on this topic.*

Kraay, A. & Nehru, V. (2006). "When is External Debt Sustainable?" *The World Bank Economic Review*, 20(3), 341-365.

*This article takes an empirical look at external debt. While all the numerical analysis is not necessary for delegates to understand, the article brings an interesting perspective to light by examining how to sustainably deal with debt instead of demanding debt relief as the only option, as most of the other literature highlights as a solution.*

International Monetary Fund (2009, March 4). *Managing Public Debt-Formulating Strategies and Strengthening Institutional Capacity*. Retrieved on November 28, 2010 from <http://www.imf.org/external/pp/longres.aspx?id=4326>

*An excellent page riddled with IMF information. Focusing on external and public debt, this page outlines the view and stance of the IMF towards international debt. The page more importantly gives introduction to current IMF strategies towards lower-income and medium-income debt ridden developing countries. Finally outlines debt and income level specific IMF strategies for the international community.*

International Monetary Fund (2009, March 30). *IMF Executive Board Discusses Changing Patterns in Low-Income Country Financing and Implications for Fund Policies on External Financing and Debt*. Retrieved on November 28, 2010 from <http://www.imf.org/external/np/sec/pn/2009/pn0939.htm>

*Outlining external changes this page focuses on member states the IMF has entered a working relationship with. The page covers positive current debt trends in low-income countries. Furthermore, and perhaps more importantly the future of the current debt management and reduction IMF policy is discussed as the importance of change becomes evident. Reasons to reform the policy such as implementation are discussed in the page, reports and links presented on it.*

International Monetary Fund. (1999, August 26). *Heavily Indebted Poor Countries (HIPC) Initiative – Strengthening the Link between Debt Relief and Poverty Reduction*. Retrieved on August 3, 2010 from <http://www.imf.org/external/np/hipc/0899/link.pdf>

*This report gives a comprehensive review of the IMF Heavily Indebted Poor Countries (HIPC) Initiative. The introduction is a succinct history of the debt relief issue which is important for delegates to understand before tackling the topic. The proposals for change outlined in the document give a good idea of where the discussion in this committee should be headed regarding this topic.*

International Monetary Fund. (2003). *External Debt Statistics: Guide for Compilers and Users*. Retrieved on August 31, 2010 from <http://www.imf.org/external/pubs/ft/eds/Eng/Guide/>

*This guide offers a comprehensive review on the general issue of external debt. It offers a solid history of the issue as well as many definitions of important terms. Additionally, profiles from several key countries are given if delegates are interested in looking into specific examples.*



Norwegian Embassy. (2009). *Debt Reduction*. Retrieved on August 31, 2010 from <http://www.norway.org/aboutnorway/government-and-policy/humanitarian/debt/>

*This source provides a succinct overview of debt reduction and then proceeds to explain Norway's involvement with the topic. It outlines the importance that Norway placed in the HIPC in addition to the relevance of the HIPC in debt relief. The recent publication of this information makes it a reliable source to obtain a good idea of the topic's current situation.*

Norwegian Ministry of Foreign Affairs. (2004). *Debt Relief for Development: A Plan for Action*. Retrieved on August 31, 2010 from <http://www.regjeringen.no/en/dep/ud/Documents/veiledninger/2004/Debt-Relief-for-Development.html?id=419443>

*This source offers many useful statistics regarding Norway's efforts in the debt relief arena. It also provides a useful jot-point synopsis of Norway's policy toward the issue. This will be useful to delegates to compare Norway to other countries' policies toward the same issue to realize various strengths and weaknesses of the various policies currently in place.*

Panitchpakdi, S. (2009). *Statements by Supachai Panitchpakdi, Secretary-General of UNCTAD (2008-2010)*. Retrieved on November 23, 2010 from <http://www.unctad.org/Templates/webflyer.asp?docid=12383&intItemID=3549&lang=1>

*The text of exceedingly interesting remarks from the former Secretary-General of UNCTAD may be found by following this link. The statements made here are specifically on debt management.*

United Nations. General Assembly. 64<sup>th</sup> Session. (2010, February 12). *External debt sustainability and development (A/64/418/Add.3)*. Retrieved on August 3, 2010 [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/64/191&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/191&Lang=E)

*This resolution gives delegates the best commentary on the current state of external debt as it is the most recent document published by the United Nations on this topic. There are several key points regarding country-specific solutions which are important when considering how the current state of external debt varies by region.*

United Nations. General Assmbley. 62<sup>nd</sup> Session. (2007, July 26). *Recent developments in external debt: Report of the Secretary-General*. Retrieved on August 3, 2010 from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N07/440/41/PDF/N0744041.pdf?OpenElement>

*This report contains fairly recent developments on the topic of external debt of developing countries. It highlights capital flows from developing to developed countries, engaging developed countries in this issue. It also mentions the role of the Paris Club on debt restructuring, debt relief, and debt cancellation.*

### **III. Promoting Sustainable Development Practices in Transnational Corporations**

Arias, Pedro et. Al. (2003). *The World Banana Economy 1985-2002*. Food and Agriculture Organization of the United Nations. Retrieved October 9, 2010 from:

[http://books.google.ca/books?id=biUhdI19b18C&pg=PA68&lpg=PA68&dq=why+chiquita+reformed&source=bl&ots=FDXHEOB3o3&sig=6kwMXmo\\_Drb4bkagRxd8MtAMZU&hl=en&ei=NuLNTPSFFoXWtQOGv4DtDg&sa=X&oi=book\\_result&ct=result&resnum=3&ved=0CB8Q6AEwAg#v=onepage&q=why%20chiquita%20reformed&f=false](http://books.google.ca/books?id=biUhdI19b18C&pg=PA68&lpg=PA68&dq=why+chiquita+reformed&source=bl&ots=FDXHEOB3o3&sig=6kwMXmo_Drb4bkagRxd8MtAMZU&hl=en&ei=NuLNTPSFFoXWtQOGv4DtDg&sa=X&oi=book_result&ct=result&resnum=3&ved=0CB8Q6AEwAg#v=onepage&q=why%20chiquita%20reformed&f=false)

*This paper produced for the Food and Agriculture Organization (FAO) provides a detailed history and analysis on the world banana industry from 1985-2002, detailing the production processes, trade, social and environmental impacts and the involvement of transnational corporations in bananas. The most useful portion of this book for delegates will likely be the fifth and sixth chapters which examine the social and environmental impacts of the industry as well as the role that TNCs played and what adaptations they made in order to continue on their economic success. While the paper is specifically focused on the banana industry, delegates may find it useful to gain a general understanding of how promoting sustainable development can shift a corporation's economic activities.*

Ascloy, Nina et. al. (2004). *Critical Issues for the garment industry*. SOMO Centre for Research on Multinational Corporations. Retrieved November 9, 2010 from [http://somo.nl/publications-en/Publication\\_2134/at\\_download/fullfile](http://somo.nl/publications-en/Publication_2134/at_download/fullfile)

*This document was produced in collaboration with the CCC as a first step in identifying critical issues and observing the progress within these issues over periodic reviews. The paper identifies five unique issues which fall separate from the typical criticisms proposed by NGOs. There is a detailed breakdown of each of the five issues, and an analysis from both the perspective of corporations as well as workers. The document should prove very useful for delegates in understanding a different dynamic to the textile industry and expanding beyond typical arguments.*

Bucheli, Marcelo. (2004). Enforcing Business Contracts in South America: The United Fruit Company and Colombian Banana Planters in the Twentieth Century. *The Business History Review*, 78, 181-212.

*The history of Chiquita Brands International ranges back over a century; in this article by Marcelo Bucheli, the history of operations United Fruit Company, the predecessor to Chiquita is examined. Bucheli points to the exploitative and unethical practices that the United Fruit Company was engaged in, specifically with the Banana Plantations in Colombia. The article is a basis for the case study in the background guide, and will provide the delegates with a better understanding of what unsustainable business practices look like at both the social and environmental level. Further it provides the background for Chiquita's reform in the 1990's.*

Clean Clothes Campaign. (2010). *About Us*. Retrieved November 9, 2010 from <http://www.cleanclothes.org/about-us>

*This page specifically provides a brief history of the Clean Clothes Campaign as well as an overview of its goals and principles. Overall, the CCC website is a wealth of information which links to both documents and research conducted by the organization itself as well as several other similar NGOs. The website is consistently updated with new information and developments and further details the campaigns currently proceeding with respect to the textile industry. Delegates should find this useful in understanding the CCC and the textile industry as well as a resource to several other NGOs and labor organizations, which advocate for rights within and beyond the garment workers.*

Gillies-Ietto, G. (2002). *Transnational Corporations: Fragmentation Amidst Integration*. Routledge.

*This book provides a foundation for the history, establishment, expansion, and future of transnational corporations in the world. The source is a step back from UN documents, and focuses solely on the strategies that TNCs have used to grow and expand their activities. This document should be particularly useful for delegates in establishing a base knowledge and understanding of the evolution of TNCs in the overarching sense, which will in turn help them focus their research and direct their knowledge to the role of TNCs in their state.*

Gleckman, Harris. (1995). *Transnational Corporations Strategic Responses to 'Sustainable Development'*. Oxford University Press, Retrieved August 15, 2010 from [http://www.fni.no/YBICED/95\\_08\\_gleckman.pdf](http://www.fni.no/YBICED/95_08_gleckman.pdf).

*In this paper, Gleckman provides a critical analysis from the perspective of TNCs to the concept of sustainable development. Gleckman observes what the response has historically been from TNCs in regards to promoting activities of sustainable development and what has driven this response. He also examines the question to what extent TNCs must focus their individual activities on sustainable development and where concerted, overarching efforts come in.*

Hearson, Martin. (2009). *Cashing In- Giant retailers, purchasing practices and working conditions in the garment*. Clean Clothes Campaign, Netherlands. Retrieved October 10, from <http://www.cleanclothes.org/resources/ccc/working-conditions/cashing-in>

*This document produced by the clean clothes campaign is an extensive analysis of the five major TNCs involved in the textile industry. It details the significant criticisms and issues within the textile industry, with specific cases studies and examples. Further, there is a detailed look into the operations of the "giants" and their perspective of the issues that the industry faces. The paper concludes with recommendations for the future, recommendations that are seen throughout CCC*

*publications. Delegates will find this useful as an industry case study and helpful in examining the human side of sustainable development.*

Miroux, Ann. (2008). *Transnational Corporations and the Infrastructure Challenge: An African Perspective*. Retrieved August 17, 2010 from <http://www.oecd.org/dataoecd/23/41/41881230.pdf>.

*This paper focuses in on the infrastructure challenges presented as a result of the expansion of TNCs. It looks at the condition and growth of infrastructure in developing states and assess the role that TNCs play in the development of such infrastructure. The document provides a unique African perspective to the problem and address the role of TNCs on that continent. States from Africa should find the document useful in gaining a basis in understanding the specific challenges presented to their regions.*

Newfarmer, Richard. (2001). *Multinational Corporations, Globalization and Poverty*. World Bank. Retrieved August 16, 2010 from: [http://info.worldbank.org/etools/docs/library/89443/Tu\\_0601/Newfarmer.pdf](http://info.worldbank.org/etools/docs/library/89443/Tu_0601/Newfarmer.pdf).

*This document is not specifically related to the concept of sustainable development, but nonetheless provides an important background on the activities and expansion of TNCs. The main analysis in this paper draws on how TNCs have operated in developing states and what impact foreign ownership has had on economic development, environmental degradation as well as other social impacts. Delegates may find this paper useful in understanding how TNCs and Foreign Direct investment (FDI) play a role in developing countries, specifically in the areas of growth, income distribution and environment.*

Organization for Economic Cooperation and Development. (2001). *Foreign Direct Investment and Sustainable Development*. OECD Global Forum on International Investment. Mexico City: OCED, Retrieved August 16, 2010 from <http://www.oecd.org/dataoecd/2/39/1819941.pdf>.

*This paper is from the OECD Conference regarding International Investment. The paper strays slightly from the concept of TNCs, but still provides a fairly useful insight into the role that sustainable development plays with respect to FDI (via corporate activities). The paper examines the role for regulatory control and corporate responsibility for FDI and the impact that that will have on progressing sustainable development activity. Further the paper discusses the pillars of sustainable development and the changing nature of the concept.*

Organization for Economic Cooperation and Development. (2010). *Terms of Reference for an Update of the OECD Guidelines for Multinational Enterprises*. Paris: OCED, Retrieved September 5, 2010 from <http://www.oecd.org/dataoecd/61/41/45124171.pdf>.

*The Terms of Reference (TOR) Update are a key present day review and update on the original 2000 guidelines. By looking at the reports and recommendations which have come out of the investment committee over the past 10 years, the TOR update focuses primarily on how the nature of multinationals have transformed over the years, and where changes on the guidelines should focus for more effective adherence and promotion. Delegates should find this document particularly useful in identifying present day requirements for uniform strategies and guidelines for TNCs that the UN may consider adopting or revising.*

Riisgaard, Lone. (2004). *The IUF/COLSIBA –Chiquita Framework Agreement: a case study*. International Labour Office: Geneva. Retrieved October 8, 2010 from [http://www.ilo.org/public/libdoc/ilo/2004/104B09\\_27\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2004/104B09_27_engl.pdf)

*This working paper written for the International Labor Organization is a case study in the significance of corporate social responsibility through an examination of Chiquita's business practices from 1993-2001. The paper specifically focuses on the IUF/COLSIBA labor agreement that Chiquita worked out and signed with Latin American farmers. Delegates should find this document useful as a case study, as well as an analysis of how CSR emerged in the modern day within the context of transnational corporations. The document provides a brief but detailed analysis on CSR and its relation to consumer patterns as well as labor organizations, which will be useful for delegates in understanding the basics of the history of CSR.*

Sagafi-Nejad, T. (2008). *The UN and Transnational Corporations- From Code of Conduct to Global Compact*, Indiana University Press. Retrieved August 3, 2010 from [http://books.google.ca/books?id=I3Xhyelw68QC&printsec=frontcover&dq=transnational+corporations+UN&hl=en&ei=g1ZTNvwMo6isQPcyaCpDA&sa=X&oi=book\\_result&ct=result&resnum=1&ved=0CCsQ6AEwAA#v=onepage&q&f=false](http://books.google.ca/books?id=I3Xhyelw68QC&printsec=frontcover&dq=transnational+corporations+UN&hl=en&ei=g1ZTNvwMo6isQPcyaCpDA&sa=X&oi=book_result&ct=result&resnum=1&ved=0CCsQ6AEwAA#v=onepage&q&f=false).

*This book provides a history and analysis on the work of the UN and TNCs with a specific focus on the UNCTC. The book goes into detail about both the overarching policy that the UNCTC tried to establish (vis a vis the code of conduct) as well as specific bodies and commissions which emerged out of the 17 years of UNCTC operations and what these smaller bodies have established. This document will provide a more detailed perspective and analysis to delegates on the workings of the UNCTC.*

Tapiola, Kari. (1999). *The Importance of Standards and Corporate Responsibilities: The Role of Voluntary Corporate Codes of Conduct*. OECD Conference on the Role of International Investment in Development, Corporate Responsibilities. Paris: OCED, Retrieved August 17, 2010 from <http://www.oecd.org/dataoecd/9/4/2089872.pdf>.

*At the same time that the UNCTC was undergoing its negotiations for the creation of a code of conduct for the operation of TNCs, so too was the OECD. This paper provides a brief overview of the role and development of the OECD code of conduct and looks ahead to the future to examine the role of codes of conducts in global business practices. The paper looks at important questions as to why a code may be necessary and what challenges are presented when focusing on code development.*

United Nations Conference on Environment and Development. (1993). *Agenda 21*. Retrieved August 16, 2010 from: <http://www.un.org/esa/dsd/agenda21/index.shtml>

*This is a comprehensive document established at the Earth Summit held in Rio de Janeiro in 1992 by the UNCED. The document is an action plan on environmental and sustainable development for future generations. Section III of the document provides excellent resource information with respect to the role outlined for major players in the economic and industrial spheres, including TNCs. The document sets forth its expectations for corporations with respect to sustainable development and further outlines why such action is necessary.*

United Nations Conference on Trade and Development. (2004). *Development and Globalization: Facts and Figures*. United Nations Publications, New York. Retrieved August 16, 2010 from: [http://www.unctad.org/en/docs/gdscsir20041\\_en.pdf](http://www.unctad.org/en/docs/gdscsir20041_en.pdf).

*This report is a comprehensive review by UNCTAD on the statistics and details regarding globalization, trade, economic and social progression, foreign direct investment, and transnational activity. For the purposes of this guide, the specific sections on the expansion of TNC activity and the details on FDI will be particularly useful for gauging just how fast and how much TNCs have grown.*

United Nations Conference on Trade and Development. (2000). *The Competitiveness Challenge: Transnational Corporations and Industrial Restructuring in Developing Countries*. UNCTAD: Geneva. Retrieved August 3, 2010 from <http://www.unctad.org/templates/Page.asp?intItemID=5203&lang=1>

*One of several books published by UNCTAD, this document focuses on FDI and market competitiveness and its relation to developing states in a world of globalization. The book breaks down these aspects into case studies from Asia, Latin America, and Africa. Delegates will find this document useful in examining case studies where development practices by TNCs have resulted in either successful or less than successful expansion attempts, and more specifically what has led to the result in either situation.*

United Nations Conference on Trade and Development. (1997). *World Investment Report 1997*. Retrieved August 2, 2010 from <http://www.unctad.org/Templates/WebFlyer.asp?intItemID=2427&lang=1>.

*This document is one of the several World Investment Reports (WIR) published by UNCTAD that points to the expansion of TNCs and their impact on globalization, competitiveness, and regulatory obstacles which exist. This particular WIR focuses on the difficulties faced by nations*



*receiving FDI and the role that this plays specifically related to competition. This should help delegates determine specific aspects of where the UN may have an opportunity to establish policy that can be implemented on a wide scale.*

United Nations Conference on Trade and Development. (2002). *UNCTC Origins*. Retrieved from <http://unctc.unctad.org/asp/UNCTCOrgins.aspx>.

*Though the UNCTC is no longer in existence, this website provides excellent background and foundational information for the past activities of the committee. Seeing as the UNCTC was the primary body focused on TNCs for almost 30 years, this Web site is a useful historical archive and base for information gathering on the past activities of the committee as well as a base for the retrieval of key working papers and documents. This page in particular gives a brief overview of the functions and beginnings of the UNCTC and the mandate it focused on through its existence.*

United Nations Economic and Social Council. Commission on Human Rights. (2003). *Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights*. Retrieved July 28, 2010 from [http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.Sub.2.2003.12.Rev.2.En](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.Sub.2.2003.12.Rev.2.En).

*This document is a significant step in creating an international framework for the operations of TNCs. While the document has a narrower focus than that of sustainable development, it establishes the necessary human rights responsibilities of TNCs which inevitably encourage sustainable labor and workforce practices by transnational corporations. This will be useful to delegates in establishing a reference point for previous substantive policy work by the UN on this topic.*

United Nations Economic and Social Council: Centre on Transnational Corporations. (1976). *Transnational Corporations: Issues involved in the Formulation of a Code*, (E/C. 10/17). Retrieved from <http://unctc.unctad.org/data/e77jia5.pdf>.

*Similar to the aforementioned Possible Methods of Work Related to the drafting of a code of conduct, this document also provides significant insight into the desire of the UNCTC to formulate a code of conduct to TNCs. However, this report focuses primarily on the issues which the committee foresees as challenges to the formulation of a code, specifically how those issues relate to state and national governments. This document provides a very good basis for moving forward to address the issue of TNCs and sustainable development.*

United Nations Economic and Social Council: Centre on Transnational Corporations. (1992). *Transnational Corporations and Sustainable Development Recommendations of the Executive Director*, (E/C. 10/1992/2), (1992) Retrieved August 16, 2010 from: <http://unctc.unctad.org/data/e77jia5.pdf>.

*This report to the Secretary General is a detailed recommendation of what activities must ensue for TNCs to act in a manner reflective of sustainable development. The report provides five different areas of recommendations as to where policies may be created and strengthened both at the corporate and overarching level. The report concludes by suggesting a means of implementation for such recommendations looking ahead to the future.*

United Nations Economic Social Council: Commission on Transnational Corporations. (1976). *Possible Methods of Work Related to the drafting of a code of conduct*, (E/C.10/10). Retrieved August 16, 2010 from <http://unctc.unctad.org/data/ec1010a.pdf>.

*This is one of the key reports formulated by the Commission on Transnational Corporations with respect to the development of a code of conduct. The report illustrates the very high desire and motivation by the committee to see through a code of conduct, and also provides an inside look at how such a code could be formulated through the UNCTC. Within the report, there is also significant background to the work of the committee and why its focus is so piqued on the code of conduct.*

United Nations, Economic and Social Council, Economic and Social Council Resolution. (1994). *Integration of the Commission on Transnational Corporations into the institutional machinery of the United Nations Conference on Trade and Development 1994/1*. Retrieved August 16, 2010 from: <http://www.un.org/documents/ecosoc/res/1994/eres1994-1.htm>

*This resolution outlines specifically the dissolution of the UNCTC and the folding in of the organization into the United Nations Conference on Trade and Development. While the resolution is short and quite specific, it provides an understanding as to the actions that the UN ECOSOC committee was engaged in with respect to TNCs and further provides reasoning as to why the UNCTC was folded.*

United Nations Global Compact. (2008). *Corporate Citizenship in the World Economy*, United Nations Global Compact Office. Retrieved August 15, 2010 from:

[http://www.unglobalcompact.org/docs/news\\_events/8.1/GC\\_brochure\\_FINAL.pdf](http://www.unglobalcompact.org/docs/news_events/8.1/GC_brochure_FINAL.pdf).

*This document is a brief overview on the UNGC with respect to its history and beginnings, its current activities, and its overarching mandate. The document is by no means a comprehensive introduction to the UNGC, but it does give some insight into the activities of the committee. Delegates should find this document useful in understanding the scope of the operations UNGC and its members as well as its basic foundations and principles*

Werre, Marco. (2003). Implementing Corporate Responsibility –The Chiquita Case. *Journal of Business Ethics*, 44, 2-3, 247-260.

*Chiquita Brands International is one of the most prominent case studies in illustrating the transformation to corporate social responsibility. In this article, Marco Werre, examines the principles behind corporate social responsibility (CSR) and what specificities make up the successful implementation of CSR within a corporation. Werre, then relates each of the principles to the case of Chiquita and how the company transformed its business operations in the 1990's and 2000's to reflect policies of sustainable development and CSR. Delegates will find this useful in looking at a real world corporate example and understanding what changes arise between unsustainable and sustainable corporate practices.*

World Commission on Environment and Development. (1987). *Our Common Future*. Retrieved August 14, 2010 from <http://www.un-documents.net/wced-ocf.htm>.

*This report, released in 1987 by the WCED provides the United Nations General Assembly with a comprehensive overview and background on the notion of sustainable development. The document describes how sustainable development applies and should be integrated into a number of global activities, from security, to energy to development, and for the relevant purposes of this guide the application of sustainable development to industry and business practices.*

World Trade Organization. (2001). *Trade Liberalization Statistics*. Retrieved August 18, 2010 from [http://www.gatt.org/trastat\\_e.html](http://www.gatt.org/trastat_e.html)

*This overview on Liberalization Statistics from the WTO provides a brief view into some of the highlights of trade highs and lows over the past several years. Further, the site provides further resources for more investigation and detail on the various statistics provided. Delegates should find this site useful for basic facts and figures on different industries and economies and the role played by corporations in trade.*

## **Rules of Procedure General Assembly Second Committee**

### ***Introduction***

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

### **I. SESSIONS**

#### ***Rule 1 - Dates of convening and adjournment***

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

#### ***Rule 2 - Place of sessions***

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

### **II. AGENDA**

#### ***Rule 3 - Provisional agenda***

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

#### ***Rule 4 - Adoption of the agenda***

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

*The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, —those present and voting<sup>1</sup> means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.*

#### ***Rule 5 - Revision of the agenda***

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

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

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

**Rule 6 - Explanatory memorandum**

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

### III. SECRETARIAT

**Rule 7 - Duties of the Secretary-General**

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

**Rule 8 - Duties of the Secretariat**

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

**Rule 9 - Statements by the Secretariat**

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

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

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

### IV. LANGUAGE

**Rule 12 - Official and working language**

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

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

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

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

### V. CONDUCT OF BUSINESS

**Rule 14 - Quorum**

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

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



**Rule 15 - General powers of the President**

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

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

**Rule 16**

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

**Rule 17 - Points of order**

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

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

**Rule 18**

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

**Rule 19 - Speeches**

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

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

**Rule 20 - Closing of list of speakers**

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

same effect as closure by decision of the Committee.

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

**Rule 21 - Right of reply**

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

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

**Rule 22 - Suspension of the meeting**

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

**Rule 23 - Adjournment of the meeting**

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

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

**Rule 24 - Adjournment of debate**

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

**Rule 25 - Closure of debate**

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

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

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

**Rule 27 - Proposals and amendments**

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

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

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

**Rule 28 - Withdrawal of motions**

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

**Rule 29 - Reconsideration of a topic**

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

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

## VI. VOTING

**Rule 30 - Voting rights**

Each member of the Committee shall have one vote.

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

**Rule 31 - Request for a vote**

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

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

**Rule 32 - Majority required**

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

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

**Rule 33 - Method of voting**

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

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

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

**Rule 34 - Explanations of vote**

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

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

**Rule 35 - Conduct during voting**

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

**Rule 36 - Division of proposals and amendments**

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

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

**Rule 37 - Amendments**

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

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

**Rule 38 - Order of voting on amendments**

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

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

**Rule 39 - Order of voting on proposals**

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

**Rule 40 - The President shall not vote**

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

VII. CREDENTIALS

**Rule 41 - Credentials**

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

**Rule 42**

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

VII. PARTICIPATION OF NON-MEMBERS OF THE COMMITTEE

**Rule 43 - Participation of non-Member States**

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

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

**Rule 45 - Participation of national liberation movements**

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

**Rule 46 - Participation of and consultation with specialized agencies**

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

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

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