# NMUN • NY

# ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN
## BACKGROUND GUIDE 2014

Written By: Carrie Ann Starnes, Carolina Contreras

SIERRA LEONE

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# NATIONAL MODEL UNITED NATIONS

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**Table of Contents**

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Dear Delegates,

Welcome to the 2014 National Model United Nations Conference! As the volunteer staff for the United Nations Economic and Social Council for Latin America and the Caribbean (ECLAC), our goal is to facilitate the best possible educational experience for you, as students, at the Conference in New York.

This year's Directors are Carrie Ann Starnes (Conference A) and Carolina Contreras (Conference B). Carrie Ann has served on NMUN staff for four years, and is a graduate of Georgia State University. She holds a Masters in International Business and a MA in Political Science, and currently works for a subsidiary of a European Management Consulting firm in Atlanta, Georgia. Carolina Contreras graduated with a BA in International Relations at Universidad San Francisco de Quito. Currently, she is pursuing a MA in Environmental Studies at Facultad Latinoamericana de Ciencias Sociales. Carolina has served on NMUN staff for three years, and currently she works for the Ecuadorian government on issues related to education and environment.

This year's topics under discussion for ECLAC are:
  I.    Development of New Capacities in the Region Through a More Responsive Higher Education System
  II.   Indigenous Peoples and Sustainable Development: the Role of Culture Towards the Preservation of Biodiversity
  III.  Incentives for Maximizing the Contribution of Natural Resources to Regional Development

ECLAC is one of five regional commissions that report to and is advised by The United Nations (UN) Economic and Social Council (ECOSOC). ECLAC or CEPAL as it is known in Spanish, reports directly to ECOSOC which then reports to the General Assembly (GA). The purpose of this regional commission is facilitating economic development of Latin American and Caribbean States by offering research, analysis and subsequent policy recommendations as well as a shared platform for bilateral and multilateral cooperation and synergy.

The background guide will serve as a brief introduction to the three topics listed. It is not, however, the only research that should be done, but rather the foundation for your own analysis and research. The references listed for each topic will provide you with the resources you need to start your own research. Each delegation is requested to submit a position paper, which reflects your research on the topics. Please take note of the NMUN plagiarism policy, which is available in this background guide and in the delegate preparation guide.

If you have any questions concerning your preparation for the Committee or the Conference itself, feel free to contact the substantive staff listed below or the Under-Secretaries-General for the Economic and Social Council Department, Sasha Sleiman (Conference A) and Yvonne Jeffery (Conference B).You can reach either USG by e-mailing usg.ecosoc@nmun.org.

We wish you all the best in your preparation and look forward to seeing you at the Conference!

Sincerely,

**Carrie Ann Starnes**
Director (Conference A)

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# NMUN•NY Position Paper Guidelines

## Due 1 March 2014

Each committee topic should be addressed in a succinct policy statement representing the relevant views of your assigned country, Non-Governmental Organization (NGO), or expert role. You should identify and address international and regional conventions, treaties, declarations, resolutions, and programs of action that are relevant to the policy of your country or NGO. You should also include recommendations for action to be taken by your committee. A delegate's role as a Member State, Observer State, or NGO should affect the way a position paper is written. To understand these differences, please refer to the Delegate Preparation Guide. It may also be helpful to view a Sample Position Paper.

A position paper should be submitted for each assigned committee.
- The two-page position paper should cover all the topics in the background guide, not a separate paper for each topic.
- Do not submit papers for committees not assigned to your country/NGO (see matrix for Conf. A or Conf. B).
- No more than two delegates can represent a single country/NGO in a committee. If you assign two delegates to represent a country/NGO on a committee, they submit one position paper jointly, not separate position papers from each individual.

Please pay careful attention to the following guidelines when drafting and submitting your position papers. Only those delegations that follow the guidelines and meet the submission deadline will be eligible for position paper awards.

All papers must be typed and formatted according to the standards below:
- Length must not exceed two pages
- Margins must be set at 1 inch or 2.54 cm. for the whole paper
- Font must be Times New Roman sized between 10 pt. and 12 pt.
- Country/NGO name, school name, and committee name must be clearly labeled on the first page
- Agenda topics must be clearly labeled in separate sections
- National symbols (headers, flags, etc.) are deemed inappropriate for NMUN position papers

Please note that position papers must be comprised of entirely original writing. **The NMUN Conference will not tolerate plagiarism**, including copying from Committee Background Guides. Violation of this policy may result in dismissal from the conference. Although United Nations documentation is considered within the public domain, the conference does not allow the verbatim re-creation of these documents.

### How to Submit Your Position Papers

Position papers need to be submitted by email in .pdf or .doc formats. As proof of submission, include yourself as an email recipient. Please use the committee name, your assignment, Conference A or B, and delegation/school name in both the email subject line and in the filename (example: GA1_Cuba_Conf A_State College).

1. Send one complete set of all position papers for each of your country/NGO assignments to the Deputy Secretary-General for the conference you are attending:

   Conference A: positionpapers.nya@nmun.org
   Conference B: positionpapers.nyb@nmun.org

2. Send a copy of your position paper for each assigned committee to the corresponding committee email address listed on the Committee Background Guides page.

Your delegation may wish to submit a copy of their position papers to the permanent mission of the country/NGO headquarters along with an explanation of the conference. This is encouraged if requesting a briefing.

Many, many papers will be read by the Secretariat. Your patience and cooperation in adhering to the above guidelines is greatly appreciated.

# Abbreviations

| | |
|---|---|
| **CBD** | Convention on Biological Diversity |
| **CEPAL** | La Comision Economica para America Latina |
| **COHA** | Council on Hemispheric Affairs |
| **CSD** | Commission on Sustainable Development |
| **DGNR** | Decentralized Governance of Natural Resources |
| **ECLAC** | Economic Commission for Latin America and the Caribbean |
| **ECOSOC** | Economic and Social Council |
| **FAO** | Food and Agriculture Organization |
| **FDI** | Foreign Direct Investment |
| **GA** | General Assembly |
| **ICESCR** | International Covenant on Economic, Social and Cultural Rights |
| **IESALC** | Illuminating Engineering Society of North America |
| **IHE** | Institutions of Higher Education |
| **IIEP** | International Institute for Educational Planning |
| **ILAC** | International Laboratory Accreditation Cooperation |
| **ILO** | International Labour Organization |
| **IMF** | International Monetary Fund |
| **LAC** | Latin America and the Caribbean |
| **MDG** | Millennium Development Goals |
| **NGO** | Non-Governmental Organization |
| **SDG** | Sustainable development goals |
| **TEK** | Traditional ecological knowledge |
| **UDHR** | Universal Declaration of Human Rights |
| **UN** | United Nations |
| **UNAM** | National University of Mexico |
| **UNASUR** | Union of South American Nations |
| **UNCED** | United Nations Conference on Environment and Development |
| **UNCSD** | United Nations Conference in Sustainable Development |
| **UNDP** | United Nations Development Program |
| **UNEP** | United Nations Environment Programme |
| **UNESCO** | United Nations Educational, Scientific and Cultural Organization |
| **UNICEF** | United Nations Children's Fund |
| **UNIDO** | United Nations Industrial Development Organization |
| **VITEK** | Vitality Index of Traditional Environmental Knowledge |
| **WIPO** | World Intellectual Property Organization |
| **WTO** | World Trade Organization |

# Committee History

*Introduction*

The United Nations (UN) Economic and Social Council (ECOSOC) has five regional commissions that advise and report to it directly.[1] One such body is the United Nations Economic Commission for Latin America and the Caribbean, known as ECLAC or in Spanish, CEPAL. ECLAC reports directly to ECOSOC thereby indirectly reporting to the General Assembly (GA) through its reports to ECOSOC.[2] As the title indicates this regional commission focuses on economic development of Latin American and Caribbean States by offering research, analysis and subsequent policy recommendations as well as a shared platform for bilateral and multilateral cooperation and synergy.[3]

*Mandate*

Since 1948, this body has been committed to the development of the Latin American region. The mandate has expanded to include the Caribbean and states that identify with Latin America and the Caribbean, and each biennial agenda includes emerging global issues and phases other issues out, but the core mission has remained unchanged.

ECLAC's mandate is to support and leverage regional and sub-regional cooperation to further economic and social development in Latin American and Caribbean through both substantive and administrative efforts.[4] On both the administrative side, the body must document all of the work done by the body, organize and report the statistical information gathered through research programs executed throughout the region, and coordinate the efforts of the region as to avoid overlap or gaps.[5] This is done on an international scale by coordinating and communicating with the other bodies and departments within the UN system to reduce redundancies and increases synergies outside the region as well.[6] The substantive work of the body includes offering policy recommendations to Member States as requested regarding program planning and management.[7] A key sub-function, includes the coordination of technical programs specifically.[8] To this end, ECLAC also organizes conferences, symposia and seminars between governments and expert groups based on regional needs and priorities.[9] This approach ensures that states have a forum to discuss and provide a regional perspective to global problems.[10]

ECLAC was established to advise ECOSOC on regional issues on 25 February 1948 under ECOSOC resolution 106(VI).[11] This body was not formally renamed the Economic Commission for Latin America and the Caribbean until 27 July 1984 when ECOSOC resolution 1984/67 broadened the scope of ECLAC to include the Caribbean States. The Spanish acronym CEPAL, however, remained.[12]

ECLAC has its headquarters in Santiago, Chile and has country offices Buenos Aires in Argentina, Brasilia in Brazil, Montevideo in Uruguay, and in Bogotá, Colombia.[13] ECLAC established a sub-regional headquarters in Mexico City to cover Central America in 1951 and established a second subregional headquarters in Port-of-Spain, Trinidad and Tobago to cover the Caribbean States in 1966.[14] In addition to the headquarters and sub-regional headquarters, and country offices ECLAC maintains a liaison office in Washington, D.C. in the United States.[15]

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[1] UN Economic and Social Council, *Subsidiary Bodies of ECOSOC* [Website], 2013.
[2] UN Economic and Social Council, *About ECOSOC* [Website], 2013.
[3] ECLAC, *About ECLAC* [Website], 2013.
[4] ECLAC, *Organization of the secretariat of the Commission* [Website] 2013; United Nations. *Secretary-General's bulletin: Organization of the Secretariat of the United Nations (ST/SGB/1997/5),* 1997.
[5] Ibid.
[6] Ibid.
[7] Ibid
[8] Ibid
[9] Ibid
[10] Ibid
[11] ECLAC, *About ECLAC* [Website], 2013.
[12] Ibid.
[13] ECLAC, *Regional Headquarters and Offices* [Website], 2013.
[14] Ibid.
[15] Ibid.

*Governance, Structure & Membership*

ECLAC consists of 44 Member States in total; 33 of which are from Latin America and the Caribbean.[16] The other 11 Member States are either Asian, European or North American nations that identify with the Latin America or the Caribbean region for historical, economic or cultural reasons.[17] After the inception in 1948, the next jump in membership came in the 1960s when Barbados, Guyana, Jamaica and Trinidad and Tobago joined. [18]

The Commission meets in two distinct formats. The Commission holds substantive sessions, which acts as the decision-making meeting and the decisions made by ECLAC's members in its annual sessions are implemented by the Secretariat.[19] These sessions are held biennially, meaning every two years, at which time the representatives from each Member State meet to review the progress of previous years and decide on the initiatives and most important issues for next two years.[20] The body also holds interim sessions through a subsidiary body, known as the Committee of the Whole, to allow Member States to meet and discuss issues in between the biennial meetings.[21]

The duties of the second organ of ECLAC, the Secretariat, are outlined in the UN Secretary-General's bulletin (ST/SGB/1997/5) and include eight explicit points and managing all divisions of ECLAC, including fourteen organizational units and three administrative units.[22] The topic-based organizational units cover: "program planning and management; economic development and social development to documents and publications and administration."[23]

The administrative units include the Executive Secretary, Deputy Executive Secretary and the Office of the Secretary of the Commission. [24] The Secretariat is led by the Executive Secretary, at the Under-Secretary-General level, who has a representative from each of the divisions that report to the office of the Executive Secretary, who is then accountable to the Secretary-General of the United Nations.[25] The Executive Secretary is responsible for outlining a strategy and initiatives, based on the outcome of the Commission sessions, for the headquarters, sub regional offices, Secretariat and each division under it. Alicia Bárcena has held the position since 2008.[26]

*Functions and Powers*

The activities and initiatives of ECLAC are funded both through the UN budget, comprised of the contributions of Member States, and through funds raised for specific projects. [27] Contributions with predetermined purposes can come from a variety of sources including other UN organizations such as the United Nations Development Program (UNDP) or the United Nations Children's Fund (UNICEF), Member States, and/or international governmental or non-governmental organizations.[28]

ECLAC initiatives focus on economic development of Latin American and Caribbean States by offering research, data analysis, subsequent policy recommendations to Latin America and the Caribbean. [29] The commission is also a platform for regional initiatives.[30] The body offers a wealth of statistical information and acts as a resource for the region in terms of data collection and information management. [31] Through its data analysis ECLAC is providing essential information gaps in a region where many states do not have the financial capacity to initiate vital research

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[16] ECLAC, *Member States and associate members of ECLAC* [Website], 2013.
[17] Ibid.
[18] Ibid.
[19] Ibid.
[20] ECLAC, *The Thirty-fourth Session of ECLAC* [Website], 2012.
[21] Ibid.
[22] United Nations, *Secretary General's Bulletin: Organization of the Secretariat of the United Nations* [Report] 1997.
[23] ECLAC, *Organizational units of the Economic Commission for Latin America and the Caribbean* [Website], 2013.
[24] Ibid.
[25] ECLAC, *Organization of the secretariat of the Commission* [Website], 2013.
[26] ECLAC, *Organization of the secretariat of the Economic Commission for Latin America and the Caribbean* [Website], 2013.
[27] ECLAC, *Frequently Asked Questions* [Website], 2013.
[28] Ibid.
[29] ECLAC, *About ECLAC* [Website], 2013.
[30] Ibid.
[31] Ibid.

projects domestically. [32] Coordination is another key function of the body. It creates a forum for states to discuss topics, ECLAC enhances the collective leverage of the region politically as well as limits duplicate efforts in research areas. [33]

### Recent Sessions

The Commission last convened from 27-31 August 2012 in San Salvador, El Salvador.[34] The most recent Committee of the Whole was held the 28 - 29 May 2013 at the United Nations Headquarters in New York.[35]

The most recent session, the thirty-fourth Session, opened with a report on the 33rd session then focused on addressing "structural policies necessary to promote economic growth by increasing jobs and equality."[36] During the subsequent 27th session of the Committee of the Whole, the document "Sustainable Development in Latin America and the Caribbean: Follow-up to the United Nations development agenda beyond 2015 and to Rio+20" was presented and the subsidiary bodies of ECLAC reported on their 2012-2013 activities.[37] The body also looked at the regional outlook for 2013 and the strategic focus of ECLAC for through 2015. The draft of the initiatives, known as the Work Programme, for 2014-2015 includes fourteen items.[38] The sub-programmes include both economic and social initiatives, and environmental topic. There are also two subregional topics. [39] One focuses on Central America, Cuba, the Dominican Republic, Haiti and Mexico. The second subregional area of focus is the Caribbean.[40]

### Conclusion

As one of five regional bodies that report directly ECOSOC, ECLAC focuses on economic development of Latin American and Caribbean States by offering research, data analysis, subsequent policy recommendations to Latin America and the Caribbean. [41] The commission is also a platform for regional initiatives.[42] As delegates research the work program of ECLAC further, it is important to contextualize each states involvement within the region. For instance, which of the current initiatives of ECLAC are most relevant to your state? What initiatives within ECLAC is your state currently involved in? How might ECLAC improve its effectiveness in the future?

# Annotated Bibliography

Economic Commission for Latin America and the Caribbean. (2013). *About ECLAC* [Website]. Retrieved 30 June 2013 from: http://www.eclac.org/cgi-bin/getprod.asp?xml=/noticias/paginas/4/43024/P43024.xml&xsl=/tpl-i/p18f st.xsl&base=/tpl-i/top-bottom.xsl
> *This is a must read for delegates to introduce the body. The page, offered in both English and Spanish, provides a comprehensive overview of the body. Though this page is brief, it does provide links to several other valuable resources. This should be the first place delegates look for information about the body as it includes the origin and current work of ECLAC.*

Economic Commission for Latin America and the Caribbean. (2013). *Divisions and Units* [Website]. Retrieved 30 June 2013 from: http://www.eclac.org/divisiones/default.asp?idioma=IN
> *This page provides links to all of the topical divisions and units within ECLAC. There are twelve total. Depending on the topic, delegates should use the various links to explore the regional approach and current initiatives that address certain issues. For the Committee History it is especially important to note that these divisions exist and what falls under the purview of each.*

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[32] Ibid.
[33] Ibid.
[34] ECLAC, *Sessions of the Commission* [Website], 2013.
[35] ECLAC, *Twenty-seventh session of the Committee of the Whole of ECLAC* [Website], 2013.
[36] ECLAC, *The Thirty-fourth Session of ECLAC* [Website], 2012.
[37] ECLAC, *Twenty-seventh session of the Committee of the Whole of ECLAC*, 2013.
[38] ECLAC, *Work Programme* [Report] 2013.
[39] Ibid.
[40] Ibid.
[41] ECLAC, *About ECLAC [*Report] 2013.
[42] Ibid.

Economic Commission for Latin America and the Caribbean. (2013). *Member States and associate members of ECLAC [Website]*. Retrieved 30 June 2013 from: http://www.eclac.cl/cgi-bin/getprod.asp?xml=/noticias/paginas/7/21497/P21497.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

> *For delegates that are unfamiliar with the history of the body, this page is really helpful. The link provides a comprehensive list of members and information about when each state joined. Delegates interested in finding out whom non-Latin American partners are should visit this page.*

United Nations. (2000, February 7). *Secretary-General's Bulletin. Organization of the secretariat of the Economic Commission for Latin America and the Caribbean (ST/SGB/2000/5)*. [Report] Retrieved 1 July 2013 from: http://www.eclac.org/noticias/paginas/2/21362/eclacSGB.pdf

> *This page provides good information for delegates on how ECLAC works. The functions and organization of the ECLAC Secretariat and its units are described in detail. This would be interesting for delegates looking to understand the mandate of the committee and get more detail on the divisions within the body.*

United Nations Economic and Social Council. (2013). *Subsidiary Bodies of ECOSOC* [Website]. Retrieved 27 July 2013 from: http://www.un.org/en/ecosoc/about/subsidiary.shtml

> *This page is especially important for new delegates. New delegates would find the information on the subsidiary bodies of ECOSOC helpful in providing the context of ECLAC in the international organizational structure of ECOSOC. This link provides links to the other subsidiary bodies of ECOSOC as well.*

# Bibliography

Economic Commission for Latin America and the Caribbean. (2013). *Frequently Asked Questions* [Website]. Retrieved 27 July 2013 from: http://www.eclac.org/cgi-bin/getprod.asp?xml=/noticias/paginas/4/43074/P43074.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Organization of the Secretariat of the Commission* [Website]. Retrieved 28 July 2013 from: http://www.eclac.cl/cgi-bin/getprod.asp?xml=/noticias/paginas/8/21468/P21468.xml&xsl=/tpl/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Organization of the Secretariat of the Economic Commission for Latin America and the Caribbean* [Website]. Retrieved 28 July 2013 from: http://www.cepal.org/cgi-bin/getprod.asp?xml=/noticias/paginas/4/21364/P21364.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Organizational units of the Economic Commission for Latin America and the Caribbean* [Website]. Retrieved 28 July 2013 from: http://www.cepal.org/cgi-bin/getprod.asp?xml=/noticias/paginas/8/21438/P21438.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Member States and associate members of ECLAC* [Website]. Retrieved 30 June 2013 from: http://www.eclac.cl/cgi-bin/getprod.asp?xml=/noticias/paginas/7/21497/P21497.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Regional Headquarters and Offices* [Website]. Retrieved 30 June 2013 from: http://www.eclac.cl/subsedes/default.asp?idioma=IN

Economic Commission for Latin America and the Caribbean. (2013). *Sessions of the Commission* [Website]. Retrieved 28 July 2013 from: http://www.eclac.cl/cgi-bin/getprod.asp?xml=/noticias/paginas/1/21491/P21491.xml&xsl=/tpl-i/p18f-st.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2012). *The Thirty-fourth Session of ECLAC* [Website]. Retrieved 28 July 2013 from: http://www.cepal.org/pses34/default.asp?idioma=IN

Economic Commission for Latin America and the Caribbean. (2013). *Twenty-seventh Session of the Committee of the Whole of ECLAC* [Website]. Retrieved 28 July 2013 from: http://www.eclac.cl/cgi-bin/getprod.asp?xml=/noticias/noticias/7/49967/P49967.xml&xsl=/tpl-i/p1f.xsl&base=/tpl-i/top-bottom.xsl

Economic Commission for Latin America and the Caribbean. (2013). *Draft of 2014-2015 Work Programme*. Retrieved 10 Oct 2013 from: http://www2.eclac.cl/pses34/noticias/documentosdetrabajo/8/47638/2012-392-SES-34-Draft_programme_of_work_2014-2015_WEB.pdf

United Nations Economic and Social Council. (2013). *About ECOSOC* [Website]. Retrieved 27 July 2013 from: http://www.un.org/en/ecosoc/about/index.shtml

United Nations. (1997*). Secretary General's Bulletin: Organization of the Secretariat of the United Nations*. Retrieved 10 October 2013 from: https://www.un.org/depts/los/doalos_activities/ST_SGB1997_8.htm

# I. Development of New Capacities in the Region Through a More Responsive Higher Education System

*Capacity development is a fundamental action, without which countries will not achieve their development goals. Without capacity, there is no development.*[43]

## Introduction

The Latin America and the Caribbean (LAC) region has multiple regional development challenges as it strives to achieve the Millennium Development Goals (MDGs). In order to address those challenges, the region needs to develop a workforce that has the skills to create and fill jobs in new and advanced fields, a task which will require strengthening the higher education system and ensuring its responsiveness to the changing economic and development needs of LAC. ECLAC has identified multiple steps for countries to take in creating more responsive higher education systems, the first of which is to "propose priority issues and approaches for the population and development agenda for Latin America and the Caribbean beyond 2014."[44]

In order to identify and determine these priorities, states need to review and diagnose the current situation of the region in terms of economic, social and demographic dimensions, and situate themselves within the conversations on each of these dimensions currently underway as part of the creation of sustainability and development goals that will be part of the post-2015 development agenda.[45] The LAC region specifically is characterized by its high heterogeneity and cultural diversity, complex social structures with weak institutions and high concentration of natural resources; these, among others, are several of the features that influence development: "heterogeneity between countries and territories is manifested in all aspects of people's lives: capacity-building, access to resources or services, availability of options and opportunities and, ultimately, the exercise of rights."[46]

Capacity-building is the next step in the process, which will bridge the gap between the necessary approaches identified in the first step, and the ability of weak institutions and current economies to take those approaches and achieve those goals.[47] The region displays both potential and limitations towards development.[48] In this vein, the recent international financial crisis brought not only contraction of the world's economy but also "revealed the urgency of revising how the economy and the role of public policies [were] regarded."[49] Even though many of the LAC countries were successful at overcoming the problems caused by the crisis, specific areas of policymaking needed to be addressed: "[the goals of a development-oriented macroeconomic policy and the role of the State in productive development policies in a globalized economy, in the abatement of inequalities in the labour market and of social differences caused by inadequacies of social protection institutions."[50] Within this context, active citizens' participation was deemed as a pivotal component of the envisioned transformation, which in turn acknowledges the pressing need to pursue an intensive social campaign of capacity-building, particularly in the area of labor and workforce preparation.[51] Thus, development needs to be enabled through the enhancement of the education, including adapting the policy that regulates institutions that are part of this system.[52]

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), "capacity development is now a priority for many agencies and governments."[53] In fact, UNESCO –along with the International Institute for Educational Planning (IIEP) – pursues capacity-development as one of its five core

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[43] International Institute for Educational Planning, *Without Capacity There is No Development: Executive Summary*, 2009.
[44] Economic Commission for Latin America and the Caribbean, *Proposed Regional Agenda on Population and Development for Latin America and the Caribbean beyond 2014*, 2013.
[45] Ibid.
[46] Ibid.
[47] Ibid.
[48] Ibid.
[49] Bárcena, *Challenges and Opportunities for a State Role in the Post-Crisis*, 2010.
[50] Ibid.
[51] Ibid.
[52] Economic Commission for Latin America and the Caribbean, *Proposed Regional Agenda on Population and Development for Latin America and the Caribbean beyond 2014*, 2013.
[53] International Institute for Educational Planning, *Capacity Development Strategy*, 2013.

missions.[54] In this sense, capacity is defined as "the ability of individuals, organizations or systems to perform appropriate functions effectively, efficiently and sustainably." [55] Alongside this definition comes the conceptualization of capacity-building or capacity-development as "the process by which individuals, groups, organizations, institutions and societies increase their abilities to: (a) perform core functions, solve problems, define and achieve objectives, (b) understand and deal with their development needs in broad context and in a sustainable manner."[56] It is important to note that there is no singular definition or understanding on what capacity-development is; however, it is fundamental to take into consideration that the approaches on capacity-development have "moved from being a focus, to concern individual training, the development of institutions and recently complex systems philosophy where individual capacities are linked with those of institutions and systems at large."[57] In this regard, capacity-development is addressed as a much broader strategy that involves citizens as well as institutions, as part of a large and specific planning system.[58]

***Educational Reform in the Latin American and Caribbean Region***

Over the last two decades, educational reform efforts have been initiated across the Latin American and Caribbean region in response to both national and international initiatives which promote the role of education in development. Within this process, some countries opted for a comprehensive reform to be applied to the entire education sector, while others focused specifically on higher education. Higher education consists of "all types of studies, training or training for research at the post-secondary level, provided by universities or other educational establishments that are approved as institutions of higher education by the competent State authorities."[59] Chile, for example, can be identified as one of the first countries to carry out reforms in the education sector, prioritizing improvements in the working conditions of teachers as well as ensuring subsidies in order to promote a broader access to educational services.[60] Similarly, other countries in the region have reassessed the conditions of their own education systems, focusing at first on ensuring access to education and later on improving the education provided.[61]

The LAC regions have gone through comprehensive process of transformation and differentiated growth of their education system.[62] After the creation of new Institutions of Higher Education (IHEs), both public and private, by the beginning of the twentieth century, the total number of IHEs in the region was 8,756, with an enrollment of 14 million students.[63] During the 1990s, 28.5% of college-aged students attended an IHE in the LAC region, while this rate reached 60% in North America and Europe.[64] In the LAC region, IHEs has continued to increase in number and at the same time enhanced their capacities. Today, "the majority of researchers in the region are institutions of higher education."[65] Experts claim that the issue of access to education is still a major shortcoming in the region.[66] In this regard, governments in Latin American and the Caribbean, face a major challenge when ensuring access to quality education, and enabling the comprehensive training of young people in response to national and regional needs.

Specifically, national and public universities "were the institutions that most increased in size, occupying a privileged position in the spectrum of diversification."[67] Public IHEs in the region managed to find their own place within the context of changes during the beginning of the 1990s, "regarding the concepts of quality, transparency

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[54] Ibid.

[55] International Institute for Educational Planning, *Guidebook for Planning Education in Emergencies and Reconstruction*, 2006, Chapter 3.

[56] Ibid.

[57] Ibid.

[58] Ibid.

[59] UNESCO, *World Declaration on Higher Education for the Twenty-First Century: Vision and Action*, 9 October 1998.

[60] Arellano, Educational Reform in Chile, 2001.

[61] Ibid.

[62] United Nations Educational, Scientific and Cultural Organization, *Trends in Higher Education in Latin America and the Caribbean,* 2008.

[63] Ibid.

[64] Ibid.

[65] Ibid.

[66] Didriksson, Global and Regional Contexts of Higher Education in Latin America and the Caribbean, 2008.

[67] United Nations Educational, Scientific and Cultural Organization, *Trends in Higher Education in Latin America and the Caribbean*, 2008.

[…] and pertinence, […] and the production and transfer of new knowledge –all of this within new legal, legislative, political, and organizational frameworks."[68] Therefore, the new regional scenario was marked by a transformation of national higher education, science, and technology policies, with the expectation that companies as well as governmental institutions would "diversify the sources of financing [and] investments toward new fields."[69] One focus of the higher education reform was the development of the appropriate curricula within each branch of knowledge, promoting careers that are able to go hand in hand with the demands of the local economy.[70]

The other pillars of transformation in higher education are the modernization of teaching methods and substantive changes in the teaching curriculum. The type of modernization being applied has been described as oriented to a more responsive education, one that will be able to respond to the country's strategic development based upon the human talent and capacities of its inhabitants.[71]

The higher education system in many Latin American and Caribbean countries currently face quality, access, and financial issues. These topics will be explored in the context of the international and regional framework on higher education and United Nations (UN) system involvement, along subtopics that address an introduction to the topic's core components.

### International Framework

This topic sits at the nexus of development, education and human rights, and as such, the international normative framework for this topic is comprised of a range of instruments across all three fields.

#### Human Rights
The *Universal Declaration of Human Rights* (UDHR) (1948), the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966), and the *American Convention on Human Rights* (ACHR) (1969) establish the right to education as a fundamental human right at both a regional and international level. The UDHR states that "[e]veryone has the right to education," and that "higher education shall be equally accessible to all on the basis of merit."[72] In the same line, the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), recognizes once again education as a human right that allows people to "participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace."[73] In this vein, education has been widely acknowledged as one of the most important components of human rights and as a key element of society's transformation.

#### Education
In terms of specifically focusing on education, key instruments include the *World Conference on Education For All* (1990), and the *Dakar Framework for Action* (2000).

In 1990, 155 countries, along with non-governmental and intergovernmental organizations met at Jomtien (Thailand) at the *World Conference on Education For All* to discuss the pressing need of assuring universalized access to basic education.[74] At the conclusion of this international meeting, the participants presented the *UNESCO World Declaration on Education For All* (1990) as the outcome of the Conference. Although the Conference addressed solely basic (primary) education, its several clauses reaffirmed education as a human right for children, women and men of all ages, and also recognizes that education "can help ensure a safer, healthier, more prosperous and environmentally sound world, while simultaneously contributing to social, economic, and cultural progress, tolerance, and international cooperation."[75] Experts have stated that the *World Declaration on Education For All*

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[68] Ibid.

[69] Ibid.

[70] Didriksson, *Global and Regional Contexts of Higher Education in Latin America and the Caribbean*, 2008.

[71] Tilak, *Higher education: a public good or a commodity or trade?*, 2009.

[72] United Nations General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948, Article 26.

[73] United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights* (A/RES/21/2200), 1966, Article 13.

[74] United Nations, *United Nations Outcomes on Education*, 2000.

[75] UNESCO, *UNESCO World Declaration on Education For All*, 1990.

highlighted education as "a new basis for overcoming inequality and generating new opportunities for eradicating poverty."[76] In addition, it is necessary to note that the Conference brought attention not only to access to education, but also quality of educational services.[77]

Several meetings were held as follow-up to the World Conference. First, in 1996 the Mid-Decade Meeting on Education for All was held in Amman, Jordan, giving decision-makers the opportunity to assess the advances made since the Jomtien Conference and elaborate a roadmap to be revised in the next Conference.[78] In 2000, the World Education Forum took place in Dakar, Senegal, resulting in the adoption of the *Dakar Framework for Action*.[79] The main focus of the *Dakar Framework for Action* is to ensure every participant country to work towards the achievement of education for all, addressing with special attention gender and ethnic disparities that have been historically ignored, .[80]

Within the region, higher education has been a pivotal topic for the last 20 years. However, reforms have been rather intermittent and inconsistent over time. Higher education in the region has been described as complex, both due to external factors such as political context as well as conditions of inequality within their internal structures. IHEs have a vital role in the configuration of societal patterns, by improving "the living conditions of its populations, and provid[ing] the possibility of greater well-being, democracy and equality coming from science, education and culture."[81]

According to reports of the United Nations Economic and Social Council (ECOSOC), significant progress has been achieved within the education system in the region, especially on the expansion of coverage of access to education.[82] By the beginning of the 1990s, the LAC countries as a whole "had already achieved practically universal access to primary education."[83] It is valid to underline that even though there were substantial improvements, "progress and completion of this goal [is] still far from ideal."[84] Two decades later the region has gone through severe processes of transformation; however, the LAC countries "have failed to transform the education system into a powerful mechanism for equalizing opportunities."[85] In consequence, the advancement towards more inclusive and responsive higher education system remains a pending challenge to achieve as a region.

*Development*
Within the context of information societies and on the basis of sustainable development of human resource, the IHEs in the LAC region are focused on contributing "to help guarantee the relevance, quality, efficiency and equity of all higher education activities in the context of a new approach to regional and international cooperation fostering a proportional partnership of all actors involved.[86] In this regard, capacity-building is understood as the main mechanism towards the achievement of sustainable development.[87]

One of the main international documents on development is the United Nations Millennium Declaration (2000), which emerged from "a decade of major UN conferences and summits, [where] leaders came together at the UN Headquarters [to commit] their nations to a new global partnership to reduce extreme poverty and setting out a series of time-bound targets."[88] The MDGs were conceived as "a global commitment to improve economic and social conditions in low income countries."[89] Within this context, capacity-building or capacity-development is a

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[76] Ibid.
[77] Ibid.
[78] Ibid.
[79] Ibid.
[80] United Nations Educational, *The Dakar Framework for Action*, 2000.
[81] Didriksson, Global and Regional Contexts of Higher Education in Latin America and the Caribbean, 2008.
[82] ECOSOC, *Challenges for Education with Equity in Latin America and the Caribbean: Annual Ministerial Review*, 2013.
[83] Ibid.
[84] Ibid.
[85] Ibid.
[86] IESALC, Education For All and Post 2015 Agenda, 2013.
[87] International Institute for Educational Planning, *Higher Education and Development*, 2007.
[88] United Nations, General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.
[89] Hakura et. al, *The Millennium Development Goals, the Emerging Framework for Capacity Building, and the Role of the IMF*, 2003.

fundamental strategy in order to promote and further achieve higher economic growth, "which, in turn, is an important prerequisite for making progress towards the MDGs."[90]

In 2002, the UN Secretary-General commissioned the Millennium Project (2002) to elaborate a specific action plan in order to achieve the MDGs, and to "reverse the grinding poverty, hunger and disease affecting billions."[91] Three years later, the 2005 World Summit gathered the vast majority of the world's Heads of State in order to address such key areas of importance as development, security, human rights and the reform of the UN itself.[92] The agenda of this particular Summit followed a set of proposals elaborated by Secretary-General Kofi Annan in his report In Larger Freedom (2005).[93] During the 2008 High-level Event on the MDGs, several NGOs and governments discussed the pressing need to act towards the eradication of poverty, hunger and disease by 2015.[94] After a two-year period, the 2010 MDG Summit took place and concluded with the adoption of a global action plan Keeping the Promise: United to Achieve the Millennium Development Goals, by this renewing and further reaffirming the commitments made ten years before.[95]

Overall, the United Nations have reported that three of the eight MDGs – halving extreme poverty, halting the spread of HIV/AIDS, and providing universal access to primary education – "have been achieved prior to the final deadline of 2015[; however], progress has been uneven within and across countries."[96] As an outcome of the *2010 High-level Plenary Meeting of the General Assembly on the MDGs*, and through the Rio+20 Conference on Sustainable Development (2012), an intergovernmental conversation has been initiated in order to identify a set of sustainable development goals (SDGs) which would replace the MDGs.[97] The main objective is to harmonize both goals –MDGs and SDGs – as part of moving from the MDG era into one defined by a global development agenda for the post-2015 period, taking into consideration the key importance that sustainability has within the wide spectrum of states' development worldwide.[98]

***Role of the United Nations System***

*Committees*
The United Nations General Assembly Second Committee is in charge of addressing issues related with economic growth and development.[99] The Second Committee discusses a wide range of topics, such as "macroeconomic policy questions […], financing for development, sustainable development, human settlements, poverty eradication, globalization and interdependence, operational activities for development, and information and communication technologies for development."[100] In addition, the MDGs have been highly addressed and discussed by the General Assembly through periodic summits held in the UN Headquarters: the *Millennium Summit* (2000), the *2005 World Summit* and the *2010 MDG Summit*, among others.[101] The second of these was in large part a discussion starting from a set of proposals presented by the Secretary-General Kofi Annan called *In Larger Freedom* (2005).[102] It is important to note the Funds and Programmes that report to the GA on topics related to sustainable development, specifically the United Nations Development Programme (UNDP) that works closely with people at all levels of society in order to share solutions on "poverty reduction and achievement of the MDGs, Democratic Governance, Crisis Prevention and Recovery, and Environment and Energy for Sustainable Development."[103] Another important

[90] Ibid.
[91] United Nations Millennium Development Goals, *Background on the Millennium Development Goals and Beyond 2015*, 2013.
[92] Ibid.
[93] Ibid.
[94] Ibid.
[95] Ibid.
[96] ECOSOC, *Millennium Development Goals and post-2015 Development Agenda*, 2013.
[97] Ibid.
[98] Ibid.
[99] United Nations General Assembly, *Second Committee: Economic and Financial*, 2013.
[100] Ibid.
[101] Hakura et. al, *The Millennium Development Goals, the Emerging Framework for Capacity Building, and the Role of the IMF*, 2003.
[102] United Nations, *Background on the Millennium Development Goals and Beyond 2015*, 2013.
[103] United Nations Development Programme, *A World of Development Experience*, 2013.

contribution of the UNDP is the publication of the annual *Human Development Report*, which provides innovative tools to measure and analyze the process of development worldwide.[104]

*Regional Commissions*
The Economic Commission for Latin America and the Caribbean (ECLAC), is the regional commission in charge of creating collaboration between governments, the private sector and civil society that will contribute to the economic development of the Latin American and the Caribbean region.[105] Another of the functions of ECLAC is to promote the strengthening of the cooperation ties among the countries of the region and other states in general, guided by the objective to achieve the region's social development.[106] In addition, ECLAC's pivotal function is to conduct specific research on relevant and pertinent topics to the region's context, in order to generate fundamental information and data for decision-making processes.[107]

*Specialized Agencies*
UNESCO as a specialized agency produces a series of key documents; one of the main official documents issued and passed by a UN institution is the *World Declaration on Higher Education for the Twenty-First Century*, a declaration that was passed by UNESCO in 1998.[108] This document was adopted within the framework of the *World Conference on Higher Education* (1998), with the main objective to demand "a great diversification in higher education, as well as increased awareness of its vital importance for sociocultural and economic development."[109] This Declaration expressed an interest in the development and later increase in new skills, knowledge and ideals to be taught to future generations. In this sense, the document states that "higher education includes all types of studies, training or training for research at the post-secondary level, provided by universities or other educational establishments that are approved as higher education institutions by the competent State's authority."[110] The Declaration in its Preamble recognizes the role of technology towards the development and advancement of higher education; therefore, it expresses the need of equitable access to technology, which should be able at every level of the education systems.[111] Another important aspect of the Declaration is to recognize higher education personnel and students as major actors, by this promoting an integral growth of teachers through continuing education programs in order ensure the renovation of previously acquired skills to be transmitted in order to nurture future generations' creativity.[112] In consequence, Article 10 of the Declaration addresses several mechanism towards a higher education personnel that is updated and responsive to the academic innovations, such as staff development programmes, assuring professional and financial status, and incentives for excellence in research and teaching, among others.[113]

Another important part of the Declaration addresses the quality of higher education, a concept that has been broadly discussed in the region over the last 20 years. Governments of the region deemed it pivotal to recognize quality in higher education as a multidimensional concept, part of several functions and activities . Higher education quality has been evaluated and measured within a variety of areas such as: "teaching and academic programmes, research and scholarship, staffing, students, buildings, facilities, equipment, services to the community and the academic environment."[114] Within this context, several countries have initiated evaluation process, conducted internally as well as externally by private agencies or governmental institutions themselves.[115] However, the Declaration on Higher Education advises that these evaluation processes should be conducted "openly by independent specialists, if possible with international expertise."[116]

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[104] Ibid.
[105] Economic Commission for Latin America and the Caribbean, *About ECLAC*, 2013.
[106] Ibid.
[107] Ibid.
[108] UNESCO, *World Declaration on Higher Education for the Twenty-First Century: Vision and Action*, 1998.
[109] Ibid.
[110] Ibid.
[111] Ibid.
[112] Ibid.
[113] Ibid.
[114] Ibid.
[115] UNESCO, *Trends in Higher Education in Latin America the Caribbean*, 2008.
[116] UNESCO, *World Declaration on Higher Education for the Twenty-First Century: Vision and Action*, 1998, Art. 11.

Among other recommendations, UNESCO advises governments to recognize stakeholders as a key part in the elaboration and planning of the evaluation process.[117] Even though some countries have responded affirmatively to this recommendation, many other Latin American and Caribbean governments have chosen to portray themselves, through their public institutions, as the regulatory entities of higher education leaving insufficient space for dialogue and debate among the stakeholders of higher education.[118] Along with the national challenges of assessing the quality of higher education, countries within the Latin American and Caribbean region have a complex responsibility to fulfill, which is to negotiate their way towards regional criteria on higher education quality standards, determining a number of indicators and parameters to be met by IHEs in order to pursue a regional dimension which allows the "exchange of knowledge, interactive networking, mobility of teachers and students, and international research projects, while taking into account the national cultural values and circumstances."[119]

*ECLAC and the MDGs*
The Economic Commission for Latin America and the Caribbean defines its objectives and guidelines based upon internationally agreed documents on development goals, including key United Nations Conferences and Summits such as the *Millennium Declaration* (2000), the *2005 World Summit*, and others.[120] ECLAC plays a distinctive and dual role, "acting as the regional outpost of the United Nations Secretariat and as part of the institutional landscape in the region."[121] ECLAC has three major focuses: first, to foster and promote economic regional and sub-regional integration; second, to promote the implementation and further monitoring of the implementation of goals agreed at international levels, including the MDGs and SDGs; and third, to support sustainable development at a regional level by working towards reducing the prevailing gaps.[122] ECLAC creates the proper spaces to foster "multilateral dialogue, knowledge sharing and networking at regional level."[123] It is important to note that cooperation between ECLAC member countries is highly encouraged, because this promotes another model of cooperation where the exchange of experience and knowledge are able to exist alongside the transfer of technology or equipment.[124] In addition, ECLAC works with the United Nations towards the elaboration of "a coherent agenda at a regional level, […] working on integrated follow-up to world summits from a regional perspective, in particular in terms of the monitoring and evaluation of the region's progress towards MDGs."[125]

**Regional Higher Education System and Capacity-Development**

Academic analysts have agreed that the changes in the higher education system have been sustained over time only when paralleled by social transformations of each society.[126] Consequently, four specific transformations that characterize today's higher education system can be identified. First, the once homogeneous composition of the institutions of higher education, a generally twentieth century structure which could be understood as eminently public, is now more complex, with both the public and private sectors involved in offering educational services.[127] However, it is valid to note that for the past five years Latin American governments have focused on the improvement of the education sector.[128] It is precisely based on this new wave of transformation that governments in the region seek to regulate the private sector in the offering of higher education services.[129] In this vein, governments are not the only sector in society discussing the topic; there is a strong demand emerging from the students themselves. In consequence, students around the globe consider that "higher education [should be] regarded as a public good, benefiting not only the individuals but also the whole society by producing a wide variety of externalities or social benefits."[130]

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[117] Ibid.
[118] Post, *Constitutional Reform and the Opportunity for Higher Education Access in Ecuador Since 195*0, 2011.
[119] UNESCO, *World Declaration on Higher Education for the Twenty-First Century: Vision and Action*, 1998, Art. 11.
[120] Economic Commission for Latin America and the Caribbean, *ECLAC action lines on MDGs*, 2013.
[121] Ibid.
[122] Ibid.
[123] Ibid.
[124] Ibid.
[125] Ibid.
[126] Didriksson, *Global and Regional Contexts of Higher Education in Latin America and the Caribbean*, 2008.
[127] Ibid.
[128] Ibid.
[129] Post, *Constitutional Reform and the Opportunity for Higher Education Access in Ecuador Since 1950*, 2011.
[130] Tilak, *Higher education: a public good or a commodity or trade*?, 2009.

As a second characteristic of the modern composition of a regional higher education system, experts have found that technical and vocational schools have now reached polytechnic and technical secondary and tertiary level institutions.[131] In third place, academics have stated the proliferation of private IHEs, which experienced a steady growth between the 50s and 70s, decades before the emergence of the so-called "evaluator" state in the 90s.[132] The increase of private academic institutions is indeed one of the components that have strongly marked the previous decades before the implementation of the higher education reform. Thus, the increasing amount of private IHEs was due to essentially two main reasons: an accelerated growth of students, and the predominance of market concepts. However, the number of IHEs that were created during the 1950s-1970s did not managed to meet the criteria of higher education quality and relevance.[133] It is for this very reason that during the 90s, the states of the region initiated a series of reforms based on an evaluative policy with the objective to consolidate a homogeneous system of higher education, mostly focused on achieving quality.[134] Fourth, a modern higher education system in the LAC region will require an increase on scientific research, which is still insufficient but it is actually posing demands towards the creation and implementation of proper spaces where science can develop.[135] In sum, today's higher education portrays itself as a complex system within a regional context of severe inequity, inequality and a deficit of governability.[136]

The process undertaken by the LAC countries responds to a regional strategy that emphasizes "the continuing process of strengthening abilities to perform core functions, solve problems, define and achieve objectives, and understand and deal with development needs."[137] In consequence, several of the countries in the region have turned to elaborate and plan their own strategic development agendas that are highly responsive to the needs that each state have identified as their areas of interest and priority.[138] Within this context, during the past decades, development has changed from a natural resource perspective to include actual generation of knowledge.[139] According to the IIEP, "education contributes to the growth of national income and individual earnings."[140] Consequently, while natural resources were considered as the main source of income in past agricultural societies, nowadays information societies rest their economic growth and development on knowledge.[141] In this regards, higher education is understood "as the main source of knowledge – its production, dissemination and its absorption by any society."[142] The current challenge is to promote knowledge-based societies that depend "on their capacity to produce knowledge through research and development."[143] Knowledge economies highly value the production and further distribution and diffusion of knowledge, where IHEs are identified as "a major source for providing human capital required for knowledge production."[144] As a consequence of capacity-development strategies, several countries of the region have determined specific means in order to achieve development goals through the application of substantial educational reforms within their higher education systems, pursuing new capacities towards a more sustainable development process.[145]

### *New Regional Development Agenda*

For a proper understanding of the topic, it is important to note that within the region countries have taken vastly different approaches to reform.. These approaches fall into two different categories: the influence of new political ideologies, and the construction of the different development agendas at country-level. In this consequence it is

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[131] Didriksson, *Global and Regional Contexts of Higher Education in Latin America and the Caribbean*, 2008.
[132] Ibid.
[133] The Pertinence criterion addresses how relevant higher education institutions respond to what society expects of them, in terms of social benefits.
[134] Didriksson, *Global and Regional Contexts of Higher Education in Latin America and the Caribbean*, 2008.
[135] Ibid.
[136] Ibid.
[137] International Institute for Educational Planning, *Guidebook for Planning Education in Emergencies and Reconstruction*, 2006, Chapter 3.
[138] Bárcena, *Challenges and Opportunities for a State Role in the Post-Crisis*, 2010.
[139] International Institute for Educational Planning, *Higher Education and Development*, 2007.
[140] Ibid.
[141] Ibid.
[142] Ibid.
[143] Ibid.
[144] Ibid.
[145] Ibid.

crucial to analyze the needs and perspectives of each country, as this will shape regional attempts at a common agenda on development.

As well the perspectives set towards the improvement of the quality of higher education, analysts have deemed it pivotal to endorse a paradigm shift on the conception of development. In this vein, one of the main cores of transformation would be the "subordination of the economic system to broader social objectives."[146] Development should be focused on the improvement of social linkages, through the implementation of highly inclusive policies in order to promote equity that will also generate economic growth to create sufficient and high quality employment."[147]

### *Role of Governments in Higher Education: Case Study Ecuador*

During the last decade, many national Constitutions of the region have addressed higher education.[148] One example of this tendency is reflected in the 2008 Ecuadorian Constitution.[149] Contained in this Constitution, the Higher Education System is acknowledged as the body responsible for providing students with the proper skills and knowledge to join a modern workforce meeting the country's needs, and through this to address the strategic sectors of development of the country.[150] This constitutional shift emerged as a response to events and circumstances that took place during the mid-1990s, when there was a significant increase in the number of private IHEs in Ecuador.[151] Today, Ecuador has initiated a process towards the advancement of a more responsive higher education system through the creation of public universities that focus on specific areas of knowledge, including Yachay as the university of science and technology and Amazonian Regional University (IKIAM) as the university on earth sciences.[152] The creation of these higher education projects respond to priorities defined within the country's national development agenda, which contains the strategic sectors that the Ecuadorian administration has deemed as critical for national development.[153] Ecuador aligns its national goals to the guidelines set by the MDGs, therefore, focusing all the efforts and resources to promote capacity-building strategies to generate knowledge and human talent among its population. In consequence, correlation between higher education and the development of Ecuador exemplifies the processes of transformation that have taken place within the region, and acknowledges higher education as a core element of change towards a more comprehensive and sustainable development.[154]

### *Conclusion*

During the United Nations Conference on Sustainable Development (2012), world leaders acknowledged higher education as a key component towards the advancement of sustainable development.[155] Among the new challenges that were addressed within the context of this Conference, the international community recognized that IHEs, as they form and educate future decision-makers, "[…] play a key role in the building more sustainable societies and creating new paradigms."[156] In this vein, higher education is attained responsible of shaping the future through both research and teaching, developing new theories, concepts and technologies that influence each country's model of development.[157]

Although capacity-building is highly debated topic, there is regional consensus on seven points.[158] This consensus recognizes the need to prioritize the capacity-development of existing and already installed capacities rather than 'creating' or building new capacities from scratch.[159] Second, capacity-development strategies should respond to four capacity levels: "the capacity of the individual; the effectiveness of the organization; the norms and practices

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[146] Ocampo, *A New Look at the Development Agenda*, 2001.
[147] Ibid.
[148] Post, *Constitutional Reform and the Opportunity for Higher Education Access in Ecuador Since 1950*, 2011.
[149] Ibid.
[150] Ibid.
[151] Ibid.
[152] Ibid.
[153] Ibid.
[154] Ibid.
[155] UN CSD *Higher Education Sustainability Initiative Rio+20*, 2012.
[156] Ibid.
[157] Ibid.
[158] International Institute for Educational Planning, *Without Capacity There is No Development: Executive Summary*, 2009.
[159] Ibid.

that rule public management; and the political, social and economic context."[160] Third, the strategies to be implemented should take into consideration supply and demand analysis of the capacities within and outside of an organization or system.[161] Finally, "it should not be forgotten that the capacity development process has intrinsic values of ownership and participation."[162]

Within this context, the pending questions focus on: the pertinence of reviewing the teaching content and methods within the region; the influence of development on the transformation of Higher Education Institutions; the articulation of educational and development interests; the participation of civil society in the design of a more responsive higher education system; the importance of promoting and enhancing regional capacity-building; the generation of South-South cooperation mechanisms among member countries; the need to generate a coordinated and harmonized regional agenda on sustainable development; and the need to enhance the link between higher education and capacity-development among the IHEs of the region, among others.

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> *Through this section of ECLAC Report No. 73, we are able to expose through a case study of Chile, the reforms implemented in the education sector during the 90s. Although Chile clearly illustrates a process of educational reform, it is essential to understand that it does not respond to the general situation in the region. In this sense, this text allows us to understand the context of reform of one of the pioneering countries in educational issues. Furthermore, it briefly presents the pillars of transformation undertaken by Chilean administration, the ones that were marked as important and vital to achieving quality education. Although this document speaks on education in general, we can extract interesting details regarding reforms related to higher education specifically.*

Economic Commission for Latin America and the Caribbean (ECLAC). (2013). *Proposed Regional Agenda on Population and Development for Latin America and the Caribbean beyond 2014*. Retrieved 15 October 2013 from: http://www.eclac.org/publicaciones/xml/7/50547/CRPDProposedregionalagenda.pdf
> *The ECLAC group of experts prepared a comprehensive document that contains a prioritization of several issues, approaches and strategies on population and development. The main objective of this text is to gather fundamental information towards the construction of a development agenda for Latin America and the Caribbean beyond 2014. The document portrays a profound diagnosis of the current situation of the region's economic, social and demographic conditions. In addition, the authors make an intersection of the information on the region's conditions and objectives and the main guidelines set at the international level. This text is divided into three thematic chapters: one on background information; the second addresses the region's socio-economic context, and on its third section tackles the human rights component that underlies the proposal for the regional agenda.*

International Institute for Educational Planning (IIEP). (2007, January-March). Higher Education and Development. *IIEP Newsletter*, 25 (1): 3-15. Retrieved 30 June 2013 from: http://www.iiep.unesco.org/fileadmin/user_upload/pdf/jane07.pdf
> *Through this document prepared by IIEP -which functions as the specialized institute on educational planning under the umbrella of UNESCO- we can analyze the direct link between Higher Education and Development. This article consistently explains the issues surrounding the education system, where several experts have opted for a focus on basic education rather than higher education, which has led to widespread disregard when addressing deficiencies in the higher education sector. Thus, the document lists and describes the correlations between Higher Education and Development, essentially claiming that higher education allows a reduction of*

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[160] Ibid.
[161] Ibid.
[162] Ibid.

*relative as well as of absolute poverty, in turn creating and strengthening the skills and knowledge of the human talent, which is proven to be one of the biggest "asset" of today's information societies.*

International Institute for Educational Planning (IIEP). (2006). *Guidebook for Planning Education in Emergencies and Reconstruction: Chapter 3*. Retrieved 15 October 2013 from:
http://www.iiep.unesco.org/fileadmin/user_upload/Research_Highlights_Emergencies/chapter3.pdf
> *This document prepared by the IIEP presents a specific approach to the conceptualization of what do capacity and capacity-development mean and involve. Thus, it addresses the issue from a moderately clear and unified concept, by providing the reader with specific guidelines to understand the potentiality that capacity-development strategies have while dealing with knowledge generation processes. Additionally, the paper discusses issues on the importance of capacity-development in emergencies conditions or countries under reconstruction. In this sense, the authors bring evidence of the link between the capacity-development and the restructuration of the social fabric through skills training and the efficient enrichment of human talent.*

International Institute for Educational Planning (IIEP). (2009). *Without Capacity There is No Development: Executive Summary*. Retrieved 15 October 2013 from:
http://www.iiep.unesco.org/fileadmin/user_upload/Cap_Dev_Rethinking/pdf/CapDev_Synthesis.pdf
> *This paper addresses both the conceptual and operational basis that the strategies for capacity-development entail. Within this framework, the author defines capacity-development as fundamental to the development of societies, as it is a generator of knowledge and intangible resources. Additionally, it discusses that at time process of capacity-building prove them unsuccessful, especially in cases in which the capabilities are generated only at the individual level without building any relationship with the institutions of the social structure of each country.*

Ocampo, J. (2001, August). A New Look at the Development Agenda. *Cepal Review,* (74): 7-17. Retrieved June 30 2013 from: http://www.eclac.org/publicaciones/xml/0/19900/lcg2135i_Ocampo.pdf
> *Through this edition of CEPAL Review, the author addresses the various shortcomings that the traditional development model has, which in essence has been focused on the implementation of a single model of development, the one that has not been responsive to the needs and capacities of each country. Thus, this article proposes the discussion of four pillars in order to build a new development agenda at country-level. In this context, Ocampo explains that the new agenda should maintain a more balanced approach, where diversity is respected and used as a valuable input for the construction of a common and comprehensive agenda. Additionally, the author speaks about productive development, which through strategies of community character, is able to highlight country-level needs to be prioritized in the development of an agenda that promotes social relations and respects the different human linkages with the environment. In this sense, this document states that by setting more comprehensive goals, which fall into the specifics of each human group, it will be possible the building of a development agenda that reflects the characteristics and potential capabilities of each country.*

Post, D. (2011). Constitutional Reform and the Opportunity for Higher Education Access in Ecuador Since 1950. *Education Policy Analysis Archives,* (19) 20: 1-24. Retrieved 30 June 2013 from:
http://epaa.asu.edu/ojs/article/view/814
> *This article discusses the case study of Ecuador, which is now emerging as one of the cutting-edge educational system, essentially through transformations at the level of its legal framework. Within this context, the author presents a historical review of the reform process in Ecuador, documenting the various events of the 50s to the present. In this way, it highlights the changes since 2008, year in which the new Constitution of Ecuador was approved in Congress, a document which details a series of regulations for the higher education sector. Through this analysis, it is possible to obtain a general view of the changes around higher education in the region, as countries like Ecuador are making substantial changes aimed at achieving a more responsive higher education, the one that reflects the priorities and productive interests of each country.*

Rodríguez-Gómez, R. & A. Alcántara. (2001). Multilateral Agencies and Higher Education Reform in Latin America. *Journal of Education Policy,* (16) 6: 507-525. Retrieved 30 June 2013 from: http://www.ses.unam.mx/integrantes/uploadfile/rrodriguez/RRG2001_MultilateralAgenciesAndHigherEducation.pdf

> *Through this paper the authors explore the links between higher education and the various multilateral agencies. Therefore, this document outlines the positions and contributions from agencies like the World Bank, UNESCO and ECLAC, which have had a leading role in the construction and implementation of strategies for the development in the region. Thus, we analyze the lines of action of each multilateral agency, highlighting the ECLAC approach to see education as a strategy towards development. In this sense, it analyzes the ECLAC approach that responds to a 'productive transformation with equity', which is based on the participation of civil society for the transformation of human talent in order to produce benefits for each country. Consequently, the authors expose a broad view of the different roles played by each multilateral agency, as well as their different contributions for a fruitful relation between Higher Education and Development.*

United Nations Conference in Sustainable Development (UNCSD). (2012). *Higher Education Sustainability Initiative Rio+20*. Retrieved 29 July 2013 from: http://www.uncsd2012.org/index.php?page=view&nr=341&type=12&menu=35

> *During the Rio +20 Conference, it was addressed the contribution of higher education as a factor of influence towards the transformation of the countries' matrix of development. Thus, higher education is recognized as one of the key factors towards the achievement of sustainable development initiatives, as Higher Education Institutions are responsible for educating the future leaders of the world. Thus, Rio +20 introduced higher education as one of the sources for developing new theories and alternative mechanisms towards sustainable development. In this vein, Rio+20 addressed higher education for sustainable development as meant to provide students with the necessary interdisciplinary values, skills and tools in order to build sustainable society.*

United Nations Educational, Scientific and Cultural Organization (UNESCO). (2008). *Trends in Higher Education in Latin America and the Caribbean*. Retrieved 29 July 2013 from: http://www.google.com.ec/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&cad=rja&ved=0CDsQFjAB&url=http%3A%2F%2Fwww.unesco.org.ve%2Fdmdocuments%2Fbiblioteca%2Flibros%2Ftrendscompletely.pdf&ei=Nab5UYXXF5Se9QTXoICYCA&usg=AFQjCNGNl18jgTjrcNVsXBp7AoebLE0KVg&sig2=r5ty7pEq3zGE41kspuZjzw&bvm=bv.49967636,d.eWU

> *This document prepared by IESALC presents a chronological compilation on critical regional developments related to higher education in Latin America and the Caribbean. Thus, it first addresses an initial diagnosis of higher education in the region, followed by a chronological documentation of important events between the 70s- 90s. In addition, the authors present a couple of case studies of countries in the region, where there have been specific processes for strengthening the quality of higher education, in order to build a more responsive and pertinent higher education system within the LAC region.*

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## II. Indigenous Peoples and Sustainable Development: the Role of Culture towards the Preservation of Biodiversity

*Introduction*

The rights of indigenous peoples with relation to their traditional lands has been a long-discussed topic within the international community,[163] Indigenous peoples are highly dependent on their lands, which provide them with a

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[163] Griffiths, Indigenous peoples, land tenure and land policy in Latin America, 2005.

variety of resources – both natural and cultural.[164] When assessing the use of traditional lands as a component of sustainable development strategies, the needs of such strategies must be assessed alongside the need to protect and preserve the cultures that originated and are now anchored in such lands.

Within this context, it is important to remember that sustainable development is understood as "meet[ing] the needs of the present without compromising the ability of future generations to meet their own needs."[165] Enhancing the rights of indigenous peoples and promoting practices oriented towards a more sustainable development strategy may allow countries to implement policies that achieve the goal of developing for the present without sacrificing the future, for *all* people within their borders.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), culture "has long been a controversy and the term is used in a variety of ways."[166] However, one commonly used and accepted definition of culture is "the complex whole which includes knowledge, beliefs, arts, morals, laws, customs, and any other capabilities and habits acquired by [a person] as a member of society."[167] It is of key importance to note that culture is not homogenous but rather diverse, according to the UNESCO Universal Declaration on Cultural Diversity (2001): "culture takes diverse forms across time and space [..,] This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up mankind."[168]

Based upon this principle, the Universal Declaration on Cultural Diversity (2010) recognized that "as a source of exchange, innovation and creativity, cultural diversity is a necessary for humankind as biodiversity is for nature."[169] As a consequence, and especially in the context of indigenous peoples, culture enhances the biodiversity of the environment.[170] "Biodiversity" is a broad concept that encompasses a "variety of landscapes, ecosystems, species and genes, including their different functional processes. Therefore, maintenance and conservation of biodiversity demand efforts on these faour levels."[171]

Even though, for many, the preservation of ancestral territories is an obstacle to development, for others it is precisely the preservation of these spaces which will achieve true sustainability.[172] In relevance to this issue, it is worth remembering the role that culture plays in generating territories' biodiversity, as several studies have shown the importance of traditional knowledge for the conservation of the biological components of the territory, and therefore, its ethno-biodiversity index.[173]

Taking in consideration the immense diversity of indigenous peoples, no official definition of "indigenous peoples" has been adopted within the United Nations (UN).[174] Therefore, the term "indigenous" is understood through a set of components: self-identification as a member of a specific community; common historical heritage; significant link to territories; distinct socioeconomic systems; distinct language, and resolution to guard and reproduce ancestral beliefs and practices.[175] The definition utilized within the UN system broadly, and ECLAC specifically, reflects the diversity of indigenous peoples, by recognizing the vital importance of self-identification as a determinant factor to recognize a community or individual as 'indigenous,' a spirit that it is also reflected in core human rights documents.[176]

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[164] Ibid.

[165] United Nations, *The Brundtland Report /Report of the World Commission on Environment and Development: Our Common Future*, 1987.

[166] UNESCO, *Universal Declaration on Cultural Diversity*, 2001.

[167] Tylor, *Macmillan Dictionary of Anthropology*, 1986.

[168] UNESCO, *Universal Declaration on Cultural Diversity*, 2001, Art. 1.

[169] Ibid.

[170] Griffiths, *Indigenous peoples, land tenure and land policy in Latin America*, 2005.

[171] Toledo, *Indigenous Peoples and Biodiversity*, 1999.

[172] Sobrevila, *The Role of Indigenous Peoples in the Conservation of Biodiversity: The Natural but often Forgotten Partners*, 2008.

[173] Zent, *Traditional ecological knowledge (TEK) and biocultural diversity: a close-up look at linkages, delearning trends & changing patterns of transmission*, 2009.

[174] United Nations Permanent Forum on Indigenous Peoples, Indigenous Peoples, Indigenous Voices Factsheet, n.d.

[175] Ibid.

[176] Ibid.

Within the broader conversation regarding climate change and environmental degradation, a widely recognized urgent challenge for the international community, indigenous peoples are considered to be one of the most vulnerable groups.[177] Protecting biodiversity in traditional lands will help reduce this vulnerability, as well as help to achieve sustainable development; in both cases, traditional knowledge and practices are of vital importance.[178] As a result, protecting indigenous culture will help achieve all four of these interconnected goals: fulfilling human rights obligations; protecting against climate change; preserving biodiversity; and implementing sustainable development strategies.[179]

### *International Framework*

The international and regional framework is comprised of a range of instruments from the fields of sustainable development, human rights, indigenous peoples' rights, and environmental agreements.

*Sustainable Development*

In 2009, the United Nations General Assembly adopted resolution 64/236, which called for the UN Conference on Sustainable Development to be held in Rio de Janeiro, Brazil in June 2012.[180] The UN Conference on Sustainable Development, also known as Rio+20, focused on "renewing [the] political commitment for sustainable development, by assessing progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development."[181]

Within this context, it is important to note the previous conferences and summits that paved the way towards Rio +20. First, the United Nations Conference on the Human Environment, held in Stockholm in 1972, was the first summit that addressed the global environment as a topic of public international concern.[182] The Stockholm conference produced the "*Declaration of the Conference on the Human Environment*" (1972), which contained a set of principles on environmental management later echoed in the *Rio Declaration* (1992).[183] The conference also resulted in the creation of the United Nations Environment Programme (UNEP).[184]

Another emblematic international summit is the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992, also known as the Rio Summit or Earth Summit.[185] During this conference, the concept of sustainable development won global relevance, even though it was a concept that had originated in the late 1980s by the World Commission on Environment and Development, better known as the Brundtland Commission-.[186] The main outcomes of the Rio Summit were the *Rio Declaration on Environment and Development* (1992), *Agenda 21* (1992), the *Convention on Biological Diversity* (CBD) (1992), the *United Nations Framework Convention on Climate Change* (UNFCCC) (1992), and the creation of the Commission on Sustainable Development (CSD).[187]

The World Summit on Sustainable Development took place in Johannesburg in 2002, focusing on mechanisms to finance and implement sustainable development by addressing the three dimensions of the problem: environmental, economic and social.[188] At the end of this summit, a plan for implementation was created and it reaffirmed several objectives, goals and actions that were agreed upon at the Earth Summit ten years prior.[189]

The most recent milestone, which built on the previous World Summits and international documents, was the UN Conference on Sustainable Development, or Rio +20. The conference focused on two emerging issues: "the green

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[177] Toledo, *Indigenous Peoples and Biodiversity*, 1999.
[178] Ibid.
[179] Ibid.
[180] ECLAC, *Sustainable Development in Latin America and the Caribbean 20 years on from the Earth Summit: progress, gaps and strategic guidelines*, 2012.
[181] Ibid.
[182] Ibid.
[183] Ibid.
[184] Ibid.
[185] Ibid.
[186] Ibid.
[187] Ibid.
[188] Ibid.
[189] Ibid.

economy in the context of sustainable development and poverty eradiation" and the "institutional framework for sustainable development."[190] The outcome of Rio +20 was a document entitled *The Future We Want* (A/RES/66/288), which reaffirmed the principles and compromises contained in the *Rio Declaration* (1992) by focusing on reinvigorating the political will to achieve international agreements in order to work towards sustainable development.[191] The document also lays the foundation for the construction of comprehensive initiatives on the national, local, and regional levels; partnering with local governments, private sector, and civil society; and including indigenous peoples and their communities not only as key stakeholders but as guardians of the cultural heritage and traditional non-market practices-.[192]

During the last two decades the *Rio Declaration* is one of the documents that has set the tone of the environmental discussions worldwide, through a set of principles that address four core topics.[193] Principles 1, 3, 4, 5, and 8 address the development of Latin America and the Caribbean; principles 2, 11, 13, 15, 16, 17 speak on the strengthening of the environmental pillar; principles 20, 21, 22 affirm the need for partnership between societies, the private sector and local governments for sustainable development; and principles 7, 9, and 12 address international cooperation in science and technology markets.[194] Most notably, Principle 22 talks about the vital role of indigenous peoples in the management of the environment due to their traditional knowledge and practices.[195] In addition, Principle 22 called upon states to "recognize and duly support [indigenous peoples'] identity, culture and interests and enable their effective participation in the achievement of sustainable development."[196]

*Biodiversity*
Regarding the topic of biodiversity, one of the key documents is the *Convention on Biological Diversity* (CBD), an international, legally-binding treaty that was opened for signature in 1992 following its drafting as part of the Earth Summit.[197] Through this document, states party committed themselves to conserve biodiversity; sustainable use of resources and ecosystem components; and an equitable distribution of the benefits derived from the use of genetic resources of the biosphere; this last commitment contained special emphasis on indigenous peoples by "[making] reference to the importance of recognizing the rights of indigenous peoples to use, own, and control their traditional territories and to protect their ancestral knowledge and skills."[198] According to the CBD, biological diversity is understood as "the variation of life at the level of gene, species and ecosystem."[199] For indigenous peoples, nature and themselves are part of a whole; therefore, "conservation of biodiversity is not an isolated, compartmentalized concept but an integrated part of their lives."[200]

*Indigenous Peoples*
The adoption of a *United Nations Declaration of the Rights of the Indigenous Peoples* has been a rather complex and controversial process among United Nations Member States In 2007, the *United Nations Declaration of the Rights of the Indigenous Peoples* was adopted; this document, by recognizing the vulnerability of the rights of indigenous peoples worldwide, embodies many of the long-lasting demands of the indigenous peoples.[201] Specifically, these demands include the acknowledgement of the perpetration of an historical injustice "as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests."[202]

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[190] Ibid.
[191] United Nations, General Assembly, *The Future We Want (A/RES/66/288)* [Resolution], 11 September 2012.
[192] Ibid.
[193] ECLAC, *Sustainable Development in Latin America and the Caribbean 20 years on from the Earth Summit: progress, gaps and strategic guidelines*, 2012.
[194] Ibid.
[195] United Nations Environment Programme, *Rio Declaration, 1992*, Principle 22.
[196] Ibid.
[197] UN General Assembly, *United Nations Convention on Biological Diversity* (A/RES/64/213), 2009.
[198] UN General Assembly, *United Nations Convention on Biological Diversity*, 15 June 1992, Article 8.
[199] United Nations General Assembly, *United Nations Convention on Biological Diversity (CBD),* 1992.
[200] Sobrevila, *The Role of Indigenous Peoples in the Conservation of Biodiversity: The Natural but often Forgotten Partners*, 2008
[201] UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/61/L.67)*, 2007.
[202] Ibid.

In addition, it is fundamental to note that this particular Declaration echoes universal principles by "affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such."[203] The document recognizes equity through respect for diversity, based upon the right to consider oneself as different.[204] This recognition of difference represents a commitment from world leaders to broaden their perspective of many of the concepts and practices associated with development, to include cultural, ethnic, and geographical, among other, factors.[205]

The declaration draws on key international documents including the *Charter of the United Nations* (1945), the *International Covenant on Economic, Social and Cultural Rights* (1966), the *International Covenant on Civil and Political Rights* (1966), the *Vienna Declaration and Programme of Action* (1993).[206] It reaffirms "the importance of the right self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development."[207] In this vein, it is vital to note the right of all peoples to have their own vision of development, and therefore, to choose individually and collectively upon the practices, activities and actions towards the advancement of their needs and interests.[208] Overall, both the *Declaration of the Rights of Indigenous Peoples* and the CBD are commitments to social engagement for biodiversity conservation.[209] Actions at a regional level have responded to initiatives and processes encompassed at international spheres. Parallel to the World Summit on Sustainable Development in 2002, the Latin American and Caribbean Initiative for Sustainable Development was established, and later approved by the Forum of Ministers of Environment within the region.[210] The Latin American and Caribbean Initiative for Sustainable Development reaffirms the *Rio Declaration* principles in a set of objectives that strive for the implementation of participatory mechanisms to overcome obstacles towards sustainable development. [211] The initiative also envisioned the possibility of establishing inter-regional partnerships for cooperation in specific topics and areas.[212]

### Role of the United Nations System

The mandate and mission of the Economic Commission for Latin America and the Caribbean (ECLAC) articulates its role in assisting countries towards achieving sustainable development on both the social and environmental levels.[213] In this regard, the Commission has carried out investigative work to provide its authorities with the appropriate expertise to assist Member States, including drawing on academic scholarship as well as best practices, enabling the development, and subsequent implementation, of hybrid projects which respond to the reality of each society and its environment.[214]

Discussion on the role of indigenous peoples in development efforts has been mainly delegated to the ECLAC Ad Hoc Committee on Population and Development.[215] These issues were seen for many years as an obstacle to development, but are now a topic of significant work within ECLAC.[216] Through the Ad Hoc Committee, ECLAC has endorsed a sustained monitoring of the issues to be addressed at the Cairo+20 Conference in 2014, which will

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[203] Ibid.

[204] Ibid.

[205] Sobrevila, *The Role of Indigenous Peoples in the Conservation of Biodiversity: The Natural but often Forgotten Partners*, 2008.

[206] UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/61/L.67),* 2007, Preamble.

[207] Ibid.

[208] Ibid.

[209] Toledo, *Indigenous Peoples and Biodiversity*, 1999.

[210] ECLAC, *Sustainable Development in Latin America and the Caribbean 20 years on from the Earth Summit: progress, gaps and strategic guidelines*, 2012.

[211] Ibid.

[212] Ibid.

[213] Ibid.

[214] Ibid.

[215] ECLAC, *Report of the Regional Seminar on the Progress Made and Key Actions for Implementation of the Cairo Programme of Action 15 years after its Adoption*, 2009.

[216] Ibid.

examine population-related situations, their needs and their relationship with development.[217] The Ad Hoc Committee is ECLAC intergovernmental body that addresses topics related with population and development.[218]

In 2012, the ECLAC Ad Hoc Committee on Population and Development decided that the Ad Hoc Committee will be renamed the Regional Conference on Population and Development in Latin America and the Caribbean.[219] Subsequently, the countries' representatives delineated that the first session of this Regional Conference will focus on the *Programme of Action of the International Conference on Population and Development* beyond 2014.[220] The First Session of the Regional Conference on Population and Development in Latin America and the Caribbean held in Montevideo, Uruguay in July 2013, the issue of indigenous peoples was a major focus, including discussion of their territorial and cultural rights with relation to sustainable development efforts. [221]

### Indigenous Peoples and the Environment

Indigenous peoples comprised 300 million people worldwide.[222] Within this population are about five thousand different indigenous cultures.[223] Though the indigenous peoples represent the 4% of the world's population, they comprise the 95% of the world's cultural diversity.[224] Indigenous peoples live in 75 of the world's countries, where they are often highly concentrated in terms of percentages of population, including "Papua New Guinea (77%), Bolivia (70), Guatemala (47), Peru (40), Ecuador (38), Myanmar (33), Laos (30), Mexico (12) and New Zealand (12)."[225]

Experts have agreed that indigenous peoples hold a special bond with their territory; their conception of space varies, according to the worldview and perspective of every community.[226] For indigenous communities, space is constructed through ancestral stories, performance of traditional practices and rituals, and the continuation of daily activities.[227] For these reasons, territories extend beyond conventional boundaries.[228] Despite this difference of perspectives, indigenous peoples have maintained –though not entirely- their ancestral lands, by practicing their traditional knowledge and preserving the ecosystem's diversity.[229] In this way, the preservation of indigenous culture actually boosts biodiversity.[230] The converse is also true: "dispossession from the land or restriction of access to natural resources has brought not only economic impoverishment but also loss of identity and threats to cultural survival."[231]

### Indigenous Peoples and Land Rights

Indigenous land rights are understood as the rights of indigenous peoples to land access and usage.[232] In governments dominated by non-indigenous populations, , indigenous peoples have for centuries had no legal means to exercise their rights over their ancestral lands.[233] Therefore, the movement towards a less discriminatory legal system is an important component of the advancement of the rights of the indigenous peoples worldwide.[234]

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[217] Ibid.
[218] ECLAC, *ECLAC Population and Development Committee Will Define Regional Agenda*, 2010.
[219] ECLAC, *Meeting of the ECLAC Ad Hoc Committee on Population and Development*, 2012.
[220] Ibid.
[221] ECLAC, *Report of the First Session of the Regional Conference on Population and Development in Latin America and the Caribbean*, 2013.
[222] Toledo, *Indigenous Peoples and Biodiversity*, 1999.
[223] Sobrevila, *The Role of Indigenous Peoples in the Conservation of Biodiversity: The Natural but often Forgotten Partners*, 2008.
[224] Ibid.
[225] Toledo, *Indigenous Peoples and Biodiversity*, 1999.
[226] Ibid.
[227] Ibid.
[228] Ibid.
[229] Ibid.
[230] Ibid.
[231] Sobrevila, *The Role of Indigenous Peoples in the Conservation of Biodiversity: The Natural but often Forgotten Partners*, 2008
[232] Griffiths, *Indigenous peoples, land tenure and land policy in Latin America*, 2005.
[233] Ibid.
[234] Ibid.

During the past decade, several Latin American states have turned to draft new constitutions and laws recognizing the pluricultural nature of the region.[235] These efforts have resulted in the recognition of many areas as protected areas from government or private sector intrusion, either through designation as collective or as individual property.[236] It is important to note here that it is common for indigenous peoples to prefer shared rights over territories, as they hold a diversity of ancestral history not limited to one family or group inside the whole community.[237]

One of the most important threats to the rights of indigenous peoples over their lands is the effective and practical recognition of the rights granted by law; therefore, their territorial security is "undermined by political and economic interests that promote destructive land uses on indigenous lands."[238] In order to tackle this problem, a wide range of international agencies have endeavored to support indigenous peoples through land titling projects.[239] However, legal documents are also insufficient when there is a major governmental interest in exploiting certain natural resources inside specific indigenous territories.[240] As a result, alongside the protection of legal rights for indigenous people must be efforts to promote capacity-building for indigenous peoples within decision-making processes in their countries, and through this including themselves as participatory and active stakeholders on national plans and public policy.[241]

An important point to underline is the direct dependence of indigenous peoples upon their land, as "nearly 90% [of them worldwide] depend on land and natural resources to sustain their rural livelihoods."[242] Rural livelihoods respond to an adequate access to resources –natural, social and cultural - within territories; therefore, indigenous peoples' security is dependent upon the land as well as their culture and livelihood.[243] In this sense, indigenous peoples are concentrated on keeping their lands as integrated as possible, as traditional territories hold the "social fabric of societies."[244] Throughout the Latin American and Caribbean region, ancestral territories face a variety of pressures, especially from commercial agribusiness, mining interests, and oil pipelines, among other private and public sector entities.[245] The major impact of these pressures is the ultimate fragmentation of communities and their territories, leading to losses in both biodiversity and cultural diversity.[246]

Within this context, indigenous peoples have chosen to develop their own organizations, whose representatives have turned to use technology in their favor in order to start self-determination initiatives.[247] One example of these initiatives is the case of Guyana, Suriname and Venezuela, where indigenous communities have mapped their territories through the use of global positioning systems provided through technical assistance programs run by international non-governmental organizations.[248] Besides providing more information within court cases, "mapping has been empowering for indigenous communities who have mastered technology to record customary land use and knowledge of natural resource management."[249] In this sense, the transfer of technology is oriented towards capacity-building within indigenous communities in order to develop their own legal documents, and also to register their own findings without the interference of external pressures. This occurs as "a result of consensus-building and converging interests between the involved organizations and the indigenous communities." [250] Participation of

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[235] Ibid.
[236] Ibid.
[237] Ibid.
[238] Ibid.
[239] Ibid.
[240] Ibid.
[241] Ibid.
[242] Ibid.
[243] Ibid.
[244] Ibid.
[245] Ibid.
[246] Ibid.
[247] Ibid.
[248] Ibid.
[249] Ibid.
[250] Ibid.

indigenous peoples in the democratic system "aims to ensure the natural resource and land laws take account of indigenous customary land tenure and rights to own, use and control resource use on their traditional lands."[251]

### *Implementation of Traditional Knowledge in Development*

ECLAC has prepared several reports on the importance of protecting the cultural heritage and traditional knowledge of the Latin American and Caribbean Region as mean towards sustainable development.[252] These reports have concluded that "traditional knowledge, indigenous knowledge, traditional environmental knowledge and local knowledge are understood as the long-standing traditions and practices of indigenous or local communities […] encompassing the wisdom, knowledge and teachings of these communities."[253] Experts have classified knowledge into tangible and intangible assets; the tangible assets respond to explicit knowledge, or processes and practices, while intangible assets include "forms of traditional knowledge passed from generation to generation and which encompasses […], a rich and diverse cultural heritage, as evidenced by the music, arts, traditional medicine, folklore and sustainable practices of tourism, [among others]."[254]

The World Intellectual Property Organization (WIPO) has addressed traditional knowledge as "the content or basis of the knowledge regarding intellectual activity in a traditional context, particularly, specialized knowledge, skills, innovations, practices and teachings that form part of the traditional knowledge systems, and the knowledge involved in the traditional way of life of people or a community, or that is contained in codified systems of knowledge transmitted from one generation to the next."[255] It is important to note that the term 'traditional knowledge' is not limited to a specific area of knowledge or technique.[256] According to WIPO, in order for traditional knowledge to be legally protected, it needs to: have an intergenerational nature; be linked to the community of origin, and to maintain an objective link or social association with the mentioned community, by being active component of the community's identity.[257] Legal protection as intellectual property under WIPO standards includes measures to limit or impede the use of traditional knowledge, and the establishment for an authorized use through a fair compensation, or a right of recognition.[258] Efforts to craft protections for traditional knowledge have been made by UNEP, the CBD and the United Nations Conference on Trade and Development, focusing mainly on developing initiatives oriented to protect the genetic sources and cultural heritage of developing countries.[259] This extensive research has drawn interest to the role and potential that traditional knowledge has towards sustainable development, so much so that traditional knowledge has been recognized as an "invaluable national resource."[260]

### *The Preservation of Biodiversity Through the Implementation of Alternative Strategies*

During the last decades, society has witnessed a massive expansion of technology in spaces and processes, in particularin the agricultural sectors but also in the daily lives of indigenous peoples and their communities.[261] As a result, civil society has appeared as a response to the ensuing environmental deterioration, a phenomenon that affects indigenous peoples' lifestyles directly as "their survival depends on the protection of the renewable resources."[262] Consequently, the International Labour Organization adopted in 1989 the *Indigenous and Tribal Peoples Convention*, which recognizes that, "the peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural

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[251] Ibid.
[252] ECLAC, *Knowledge Management for Development: Towards a Practical Approach for the Caribbean*, 2010.
[253] Ibid.
[254] Ibid.
[255] Ibid.
[256] Ibid.
[257] Ibid.
[258] Ibid.
[259] Ibid.
[260] Ibid.
[261] Hernández et al., *Indigenous People and the Information Society in Latin America and the Caribbean: a Framework for Action*, 2003.
[262] Ibid.

development."[263] In addition, the convention recognizes indigenous and tribal peoples' rights of ownership and possession over the lands that they inhabit, and that natural resources in those lands should be safeguarded by acknowledging "the right of these peoples to participate in the use, management and conservation of these resources."[264]

In this vein, during the last two decades several civil society initiatives have emerged in the region, by applying traditional knowledge towards the achievement of a sustainable development responsive to the indigenous peoples' interests and needs.[265] One of the examples is set in Guatemala, a Central American country which has a high index of ethnic heterogeneity and has been recognized as one of the most biologically diverse countries in the region.[266] In addition, Guatemala contains extensive remains of the Maya civilization, which attract around 600,000 tourists per year.[267] In consequence, indigenous peoples inhabiting Guatemalan territories have developed their own initiatives to pursue cultural tourism, while preserving archaeological and environmental sites as their core means of income.[268] Thus, "the popularity of the natural attractions, which are contained primarily within numerous protected areas, contributes to the growth of the [eco-tourism] branch of nature based tourism in the region."[269] Another example is the Intercultural Research Centers or Herbalist Gardens of Traditional Medicine, which addresses the management of natural resources not only as a source of income, but also as a mechanism towards the preservation of the environment.[270]

### Conclusion

During the past 10 years, the issue of sustainability has won relevance within the international community, with new alternatives to traditional development practices that take into account the negative externalities of development, including those upon indigenous populations. These new alternatives envision the inclusion of historical excluded minorities such as indigenous peoples. Comprehensive inclusion needs to take into consideration the natural and cultural composition of territories; in this vein, indigenous peoples' land rights play an important role towards an inclusive development.

Within this context, some questions for delegates to consider include: Are the international community's efforts oriented to protect traditional knowledge? Are legal systems respecting property rights over traditional territories and knowledge? Are new alternatives for sustainable development developed from within the indigenous communities or including the input of indigenous communities? How can national governments protect the rights of indigenous peoples?

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> *Through this research effort presented by the UNDP, the authors highlight the environmental richness of the region, which responds to high levels of biodiversity per kilometer. Within this context, the document expresses the great strengths that represent the preservation of the environment, as it allows proper management of the components of the biosphere. Consequently, the UNDP study identifies biodiversity as one of the most important comparative advantages of*

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[263] ILO, *Convention concerning Indigenous and Tribal Peoples in Independent Countries*, 1989, Article 7.
[264] Ibid., Article 14-15.
[265] Maas, *The Cultural Context of Biodiversity Conservation*, 2008.
[266] Ibid.
[267] Ibid.
[268] Ibid.
[269] Ibid.
[270] UNESCO, *Report of the International Bioethics* Committee on Traditional Medicine Systems and Their Ethical Implications, 2013

*our time, as the preservation of human vitality is directly related to a conscious governance of ecosystems and its vulnerable components.*

Economic Commission for Latin America and the Caribbean (ECLAC). (2012). *Sustainable Development in Latin America and the Caribbean 20 years on from the Earth Summit: progress, gaps and strategic guidelines*. Retrieved 10 September 2013 from: http://www.regionalcommissions.org/eclacrio20.pdf

> *This report prepared by ECLAC, demonstrates a historical approach to the issue of sustainable development in the Latin American and Caribbean region. In this sense, it analyzes the different chronological phases that the region has experienced towards achieving a sustainable development that may be implemented in harmony with their needs, and at the same time with the commitments acquired by the adherence to environmental conventions. Within this context, it makes a major revision of international conferences and documents that have shaped the current environment setting related to sustainable development.*

Hernández, I. & S. Calcagno. (2003). *Indigenous People and the Information Society in Latin America and the Caribbean: a Framework for Action*. Retrieved 30 June 2013 from: http://lanic.utexas.edu/project/etext/llilas/claspo/workingpapers/indigpeople.pdf

> *This document highlights the environmental situation and conditions of territories affected by the massive utilization of natural resources, and the incorporation of technology and machinery to exploit the spaces. Within this context, it exposes the vulnerability of the Indigenous Peoples and their communities, who by depending on the natural resources of the spaces they inhabit, are directly affected by the loss of biodiversity and the depletion of resources. In this sense, this text presents a situational analysis of the impact of development on communities highly dependent on the biological components of territories.*

International Labour Organization. (1989, June 27). *Convention concerning Indigenous and Tribal Peoples in Independent Countries*. Retrieved 29 July 2013 from: http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C169

> *The Convention addresses key issues towards the advancement of the recognition of the rights of the Indigenous and Tribal Peoples. In this sense, the Convention's articles present clear statements on topics such as: land rights, self-identification, rights to safeguard the heritage culture, among others. Thus, this document has been recognized as one of the core efforts towards the recognition and respect of the rights of the Indigenous Peoples. In this vein, the Convention addresses the importance to acknowledge the rights of the Indigenous Peoples and their communities to decide the path towards development, drawing importance to community initiatives towards sustainable development that harmonize with the needs and beliefs of the Indigenous Peoples.*

Maas, P. (2008). The Cultural Context of Biodiversity Conservation. *Universitätsverlag Göttingen*. Retrieved 29 July 2013 from: http://webdoc.sub.gwdg.de/univerlag/2008/GBE2_maass.pdf

> *Through this paper, the authors analyze the essential relation between Indigenous Peoples and their territory, by a case study in Guatemala. Thus, this text deals generally with the issue of land management, which in previous years it has responded purely to a westernized logic, the one that neglects spatial configurations prior to the arrival of modern models. Consequently, this article highlights the urgent need to promote a forest governance that responds to the needs and lifestyle of its ancient inhabitants.*

United Nations General Assembly.(2012, September 11). *The Future We Want (A/RES/66/288)*. Retrieved 10 September 2013 from: http://www.uncsd2012.org/thefuturewewant.html

> *The pertaining Resolution adopted in 2012, gathers all the advances made in the last 20 years in sustainable development, but also it re-emphasizes poverty as one of the biggest problems of humanity. Therefore, this international document reaffirm: the integration of all dimensions of development, and human beings as the center of the achievement of sustainable development. At the same time, The Future We Want gave the international community the opportunity to renew its prior commitments on environment, and to reinvigorate the political will to commit to sustainable*

*development. In addition, through the adoption of this Resolution, member states acknowledged the importance of alternative strategies where various sectors of the society are able to participate, such as the Indigenous Peoples and their communities.*

United Nations Economic Commission for Latin America and the Caribbean. (2010). *Knowledge Management for Development: Towards a Practical Approach for the Caribbean*. Retrieved 30 June 2013 from: http://www.eclac.cl/publicaciones/xml/5/38825/LCAR.234rev1.pdf
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> *In order to analyze in depth the issue of traditional knowledge and its role in preserving the environment, Stanford Zent has worked in a paper which addresses the meaning and impact of the Vitality Index of Traditional Environmental Knowledge, the same index which allows a holistic analysis of territories considering its wealth of traditional knowledge. Furthermore, this document evaluates the results shown by the index and its impact on the management of the environment and its preservation.*

Zent, S. & E. Zent. (2009). *Traditional ecological knowledge (TEK) and biocultural diversity: a close-up look at linkages, delearning trends & changing patterns of transmission*. Retrieved 30 June 2013 from: http://academia.edu/184359/Traditional_ecological_knowledge_TEK_and_biocultural_diversity_a_close-up_look_at_linkages_delearning_trends_and_changing_patterns_of_transmission
> *This document prepared by IVIC of Venezuela, allows us to analyze the role of culture in the preservation of biodiversity. Within this context, the authors make considerable clarification on the concept of nature and society, the ones that instead of being conceived as two distant components, they are highly dependent on one another. In this sense, the article argues that culture is the dynamic motor of the environment, which through a body of knowledge, practices and traditions introduces life into the territories. Additionally, it addresses the problems that modernity has brought; one of the most important is the loss of traditional knowledge due to an interrupted transmission between generations, a condition that directly threatens the survival of ecosystems.*

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## III. Incentives for Maximizing the Contribution of Natural Resources to Regional Development

*Many critical survival issues are related to uneven development, poverty, and population growth. They all place unprecedented pressures on the planet's lands, waters, forests, and other natural resources, not least in the developing countries. The downward spiral of poverty and environmental degradation is a waste of opportunities and of resources. In particular, it is a waste of human resources. What is needed now is a new era of economic growth - growth that is forceful and at the same time socially and environmentally sustainable."[271]*

### Introduction

In comparison to more developed states, developing states are often more sensitive to the irresponsible use and exploitation of the environment due to the strong relationship between natural resource use and economic development.[272] This relationship increases the relevance of this topic for Latin America and the Caribbean.[273] 'Natural resources' is a broad term and can encompass anything from land and agricultural goods to oil and mined metals. [274] For statistical purposes the World Trade Organization (WTO), in its specific definition of natural resources, limits what is considered natural to "stocks of materials that exist in the natural environment that are both scarce and economically useful in production or consumption, either in their raw state or after a minimal amount of processing."[275] These minimally processed items include fish, forestry goods, fuels, ores and other minerals, and non-ferrous metals.[276] While fish and forestry products can be cultivated, they are still considered natural resources because traditionally these goods have been extracted in the original state and not replaced.[277] Though valuable resources, neither water nor air falls under this definition as these are not directly traded as goods.[278]

Some of earth's most biologically diverse States are in Latin America and the Caribbean; including 34% of the world's plant species and 27% of mammals, some of the region's most precious resources are already in peril.[279] The World Bank explains that, "with the largest urban population (more than 80%) and the fastest growing motorization rate in the world (4.5% per year), Latin America faces the challenge of pollution, overuse of its water and natural resources, as well as the negative impacts on the health of people, especially the poor, and the environment."[280] The challenge of how to manage commodities and mitigate unstable markets has long been a topic of global debate and is once again at the forefront of development and economic agendas.[281] More specifically, the role of natural resources, whether renewable or non-renewable, is becoming increasingly complex as global sustainability initiatives gain traction, amidst recurring cycles of recession.[282] Historically, natural resources have been a large part of the global economy.[283] Though the share of natural resources in world trade fell from 22% to 14% between 1955 and 2004, it rose back up to 24% in 2008, with natural resources accounting for approximately 50% of exports for the region.[284] Equitable sustainable development and natural resources are a priority for the ECLAC states. Even with limited geological insights this region holds 65% of global reserves of lithium; 42% for silver; 38% for copper;

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[271] United Nations General Assembly, *Our Common Future: Report of the World Commission on Environment and Development (A/42/427)* [Report], 1987.

[272] Ibid.

[273] Ibid.

[274] World Trade Organization, *World Trade Report 2010 Report - B. Natural Resources: definitions, trade patterns and globalization,* 2010.

[275] Ibid.

[276] Ibid.

[277] Ibid.

[278] Ibid.

[279] World Bank, *Regional Experiences to Keep Latin America Green and Growing*, 2013.

[280] Ibid.

[281] World Bank, Office of the Chief Economist, *Latin America and the Caribbean*, 2013.

[282] Ibid.

[283] World Trade Organization, *World Trade Report 2010 Report - B. Natural Resources: definitions, trade patterns and globalization*, 2010.

[284] Ibid.

33% for tin; 21% for iron; 18% for bauxite and 14% for nickel.[285] There are also extensive oil reserves in Bolivia and Venezuela.[286]

*International Framework*

In 1992 the United Nations Conference on Environment and Development met in Rio de Janeiro and developed *Agenda 21* as a step towards a more sustainable way of meeting today's global needs.[287] This non-binding document provides a sustainable development agenda for Member States at the national, regional and international levels of implementation[288] *Agenda 21* has been reviewed at the Rio+5, Rio+10, and Rio+20 conferences.[289] As a follow-up to the UNCED, the Commission on Sustainable Development (CSD) was created.[290]

In June 2012, the CSD, Rio+20, was held as a follow up to the original Rio conference in 1992, and reaffirmed global commitments to sustainable development. Rio+20's outcome document, *The Future We Want,* highlights the important role of the effective management of natural resources through social and economic channels, and importantly respecting "each country's natural sovereignty over their natural resources."[291] The document also links resource development to job creation and poverty eradication, and underscores the rights and role of women in ensuring sustainable development and resource management.[292] In a side event hosted at Rio+20, ECLAC along with a number of other UN partners developed a follow-up document to the UN development agenda for the pos-2015 framework, specifically focused on Latin America and the Caribbean region.[293] The agenda notes the failure of development oriented around economic growth and the "indiscriminate exploitation of natural resources" in achieving the Millennium Development Goals (MDGs).[294] The report calls for an integrated approach to natural resource management across all sectors, including the engagement of public-private partnerships and a better regulatory framework to support these initiatives.[295] In a separate report produced by ECLAC at the conference, *Green Growth and Sustainable Development: Regional Perspectives,* ECLAC notes that a primary flaw in the existing structure of natural resource management is the reliance on static comparative advantages rather than competitive advantages, and indicates that the low investment in infrastructure has contributed to a lack of scientific innovation and development.[296] Some of the recommendations for improvement include better governance and public policies on environmental conflict management, as well as a push to reverse the reliance on primary exports of natural resources into well rounded investments on whole scale human, infrastructure and technological capital projects.[297]

In a follow up report to the 1992 Rio Conference, ECLAC, in partnership with other UN agencies, notes that increased pressure on natural resource extraction and the risk of ecosystem degradation, has come as a result of higher prices for agricultural and mining exports and has furthered the regions dependence on the export of primary goods.[298] Moreover, the concern that industries such as mining and drilling in the region do not have effective national development schemes, which limits the effective distribution of profits back into society.[299] In developing effective policies for managing and distributing profits will also help limit inflationary shocks and unstable currency

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[285] UN Economic Commission for Latin America and the Caribbean, *Natural Resources within the Union of South America: Status and Trends for a Regional Development Agenda* [Report], 2013.

[286] Ibid.

[287] United Nations, *Agenda 21,* [Report], 1992.

[288] Ibid.

[289] Ibid.

[290] Ibid.

[291] United Nations General Assembly, Sixty-sixth session, *The future we want (A/RES/66/288)* [Resolution], 2012.

[292] Ibid.

[293] ECLAC, et al., *Sustainable Development in Latin America and the Caribbean: Follow-up to the United Nations Development Agenda Beyond 2015 and to Rio+20* [Report], 2013.

[294] Ibid, p 55.

[295] Ibid, p 83.

[296] ECLAC, et al., *Green Growth and Sustainable Development: Regional Perspectives* [Briefing Paper], 2012, p 21.

[297] Ibid, p 22.

[298] ECLAC, et al., *Sustainable Development 20 Years on from the Earth Summit: Progress, gaps and strategic guidelines for Latin America and the Caribbean* [Report], 2012, p 60.

[299] Ibid, p 66.

valuations.[300] The report indicates that policy development in the region has continued to maximize natural resource investment without correlating sustainable development policies, resulting in exacerbated environmental problems.[301] One of the key recommendations from the report, in addition to mandated environmental policies, is offering financial incentives to decrease the whole scale use of natural resources.[302] For example, Costa Rica has increased sustainable management of its rainforests through offering monetary incentives to farmers to not engage in deforestation, thereby opening up the opportunity for a more coordinated national policy mechanism to approach the issue.[303]

### *Role of the United Nations System*

Sustainable development works to "ensure that it [development] meets the needs of the present without compromising the ability of future generations to meet their own needs."[304] In a recent survey, 20% of government representatives noted that there was competition between UN organizations for financial support for sustainable development programs.[305] This indicates a heightened effort on the part of the UN to address the issue from multiple angles.[306]

Balancing the protection of natural resources and enhancing economic development is a global priority.[307] For example, one of the results of the UN Conference on Sustainable Development (Rio +20) was the High-level Political Forum on Sustainable Development.[308] This forum convenes for two days, every four years at the beginning of the General Assembly (GA) session with participation from the Heads of State from all Member States involved.[309] The body also convenes annually in conjunction with ECOSOC for eight days.[310] The purpose of forum is to regularly monitor the progress of sustainable development initiatives, beginning in 2016, according to the post-2015 development agenda.[311]

In the report of the Secretary-General, *Mainstreaming the Three Dimensions of Sustainable Development,* throughout the UN system, several initiatives regarding the responsible use of natural resources are outlined.[312] The report mentions the joint effort of the United Nations Development Programme (UNDP) and the United Nations Environment Programme (UNEP) that focuses on the execution of sustainable development policy at the national level.[313] Also included are programs by UN Water, the United Nations Industrial Development Organization (UNIDO), and a successful three-tiered approach in Bangladesh.[314]

The United Nations Development Program (UNDP) covers several thematic areas underscoring the link between natural resource management and development.[315] One of these focus areas is the Decentralized Governance of Natural Resources (DGNR), which UNDP cites as a key strategy in long term sustainable management of resources, as well as increased equitable distribution of the profits and benefits which emerge from natural resource industries[316] UNDP largely promotes the handing down of decision making powers from the federal or national

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[300] ECLAC, et al., *Sustainable Development 20 Years on from the Earth Summit: Progress, gaps and strategic guidelines for Latin America and the Caribbean* [Report], 2012, p 66.
[301] Ibid, p 100.
[302] Ibid, p 127.
[303] Ibid, p 127.
[304] United Nations General Assembly, *Our Common Future: Report of the World Commission on Environment and Development (A/42/427)* [Report], 1987.
[305] UN Economic and Social Council, *Mainstreaming of the three dimensions of sustainable development throughout the United Nations system: Report of the Secretary-General,* 2013.
[306] Ibid, 2013.
[307] UN Department of Economic and Social Affairs, *High-Level Political Forum* [Website], 2013.
[308] Ibid.
[309] Ibid.
[310] Ibid.
[311] Ibid.
[312] UN Economic and Social Council. *Mainstreaming of the three dimensions of sustainable development throughout the United Nations system: Report of the Secretary-General,* 2013.
[313] Ibid.
[314] Ibid.
[315] UNDP, *Decentralized Governance of Natural Resources* [Website].
[316] Ibid.

levels, to local levels such as cities, towns or villages, thereby promoting local resource management.[317] In 2011, the UNDP-UNEP Poverty Environment Initiative published a report encouraging private investment in natural resources, focusing on pro-poor growth, and outlining the role of Foreign Direct Investment (FDI).[318] The report notes South-South cooperation and FDI flow, and specifically FDI growth in primary and extractive industries in developing states.[319] The report also details the prevalence of the "resource curse", indicating that since the 1980s, developing countries rich in natural resources have performed worse in economic and social development than those with fewer resources, noting that natural resources inhibit other parts of the economy and prevent economic diversification.[320]

*Current Initiatives of ECLAC*

ECLAC has approached the topic at hand by drawing on the experience of experts, representatives from each Member State, civil society organizations, as well as other regional and international bodies to discuss the role and impact of natural resources and formulate strategies and policy recommendations for its members.[321] Within ECLAC, the Division for Natural Resources and Infrastructure – one of 14 organizational units – is dedicated to addressing issues related to the topic.[322] For natural resources, the work of the unit is further divided thematically into three areas: energy, mining and water.[323] ECLAC describes the regional approach to natural resources as analogous to the financial crisis in that it is no longer the priority to recover domestically; rather states are seeking to rebuild the stability of the region through regional investment.[324] In order to achieve this, Member States have built up public private partnerships, worked with multilateral organizations and this should also be the approach for maximizing natural resources.[325]

In March 2012 the Secretary-General of Union of South American Nations (UNASUR) and ECLAC signed a cooperation agreement from which ECLAC was called upon to research and publish a report on natural resources, resulting in the publication titled *Natural Resources within the Union of South America: Status and Trends for a Regional Development Agenda*.[326] This report identifies and elaborates on the ways in which states can utilize economic and legal tools in order to manage ownership and distribution of "revenue derived from the exploitation of mineral, water and hydrocarbon resources."[327] The report was written to work towards addressing the challenges that the region faces in terms of how states manage the existing natural resources, including determining where and to whom profits from natural resource exploitation go to and working to resolve the economic dilemmas this challenge holds for the region.[328]

*Challenges*

One of the key remaining challenges to addressing this issue within the ECLAC region is mitigating the impact of the global economic climate and maintaining environmental sustainability while working to increase economic development.[329] Approaching natural resources from a sustainability perspective must be multifaceted, to include,

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[317] Ibid.
[318] UNDP & UNEP, *Managing Private Investment in Natural Resources: A Primer for Pro-Poor Growth and Environmental Sustainability* [Report], 2011.
[319] Ibid, pg 6
[320] Ibid, p 10.
[321] UN Economic Commission for Latin America and the Caribbean, *División de Recursos Naturales e Infraestructura* [Website] 2013.
[322] UN Economic Commission for Latin America and the Caribbean, *Organizational units of the Economic Commission for Latin America and the Caribbean* [Website], 2013.
[323] Ibid.
[324] UN Economic Commission for Latin America and the Caribbean, *División de Recursos Naturales e Infraestructura: Acerca de la Divisió* [Website] 2013.
[325] Ibid.
[326] UN Economic Commission for Latin America and the Caribbean, Natural Resources within the Union of South America: Status and Trends for a Regional Development Agenda [Report], 2013.
[327] Ibid.
[328] Ibid.
[329] United Nations General Assembly, *Our Common Future: Report of the World Commission on Environment and Development (A/42/427)* [Report], 1987.

conservation and profitability, as well as responsible consumption.[330] Regions that are richer in natural resources are more likely to export to other regions rather than within the region.[331] Natural resources can be categorized as renewable or non-renewable. Renewable resources increase in quantity or renew over a short time, such as fish and forests.[332] The time frame must be economically relevant, therefore old growth forests would not be considered renewable. Renewable resources can become non-renewable resources if consumption is exploited and inhibits the necessary renewal time.[333] Non-renewable, also referred to as exhaustible, resources exist in finite quantities and do not grow or renew over time.[334] Limits on consumption of non-renewable sources through voluntary measures, is one way governments protect natural resources in the region.

Some economists assert that it is not how well the natural resources are exported from ECLAC States, but rather how well the region is industrialized to process them.[335] This approach suggests that Latin America and the Caribbean focuses on transforming into their economies to mirror that of high-developed resource-rich states, such as the Scandinavian countries, Canada, Australia and New Zealand.[336] The development of input suppliers, availability of engineering support and technology are the keys to successful optimization. Having the capacity to not only extract the resources, but also process them would have a positive effect on the economy as it intrinsically lends itself to other production clusters.[337]

The region is still quite vulnerable after the 2008 – 2009 international economic and financial crisis, which drastically changed the economic climate.[338] High investment risk and volatile fuel prices shocked the public and private sectors and forced policy makers to reevaluate how the Millennium Development Goals (MDGs) would be not achieved, not only for their respective states but for Latin America and the Caribbean as a region.[339] Following the devastation of the crisis, the region is focused on growth and recovery strategies as well as development.[340] This includes closing the income gap and poverty eradication, environmental sustainability, and climate change. These are all dependent to some extent on resource management and the provision of the appropriate infrastructure to maximize them.[341] In this way, ECLAC also seeks to address the infrastructure gap that needs to be addressed to fully benefit from the wealth of natural resources the region has to offer. ECLAC has outlined three focus areas to recoup the progress that was lost during the crisis.[342] First the focus is on attracting investment in services and infrastructure while using sustainable design, construction and materials.[343] ECLAC is also focused on improving regulations and eliminating trade barriers and ensuring sustainability through technologies that maximize the contribution of natural resources to regional development.[344] Finally the body would like to gain traction in and striving for energy independence through policies that encourage efficiency and portfolio diversification.[345]

Though the challenges will continue to be present, Latin America and the Caribbean has successfully protected 20% of its land through conservation efforts.[346] Successful initiatives have incorporated public private financing, incentive programs and support from international organizations.[347] The region has also leveraged gender equality programs focused on technical skills to engage in water management. One such initiative undertaken in Peru,

[330] Ibid.
[331] WTO, *World Trade Report 2010 Report - B. Natural Resources: definitions, trade patterns and globalization,* 2010.
[332] Ibid.
[333] Ibid.
[334] Ibid.
[335] CEPAL Review No.66, *A Development Strategy Founded on Natural Resource-based Production Clusters*, 1998.
[336] Ibid.
[337] Ibid.
[338] UN Economic Commission for Latin America and the Caribbean, *División de Recursos Naturales e Infraestructura: Acerca de la Divisió* [Website], 2013.
[339] Ibid.
[340] Ibid.
[341] Ibid.
[342] Ibid.
[343] Ibid.
[344] Ibid.
[345] Ibid.
[346] World Bank, *Regional Experiences to Keep Latin America Green and Growing*, 2013.
[347] World Bank, *Regional Experiences to Keep Latin America Green and Growing*, 2013.

promotes training women on technical skills used in irrigation agriculture to increase visibility with decision makers.[348] Growth can be both green and inclusive.[349]

### Conclusion

Natural resources are valuable production inputs and the uneven distribution of resources can cause friction between states.[350] Member States are called upon to be explore "transformative ideas" and work with urgency to take on "transformative decisions" in order to refocus the global economy in a way that simultaneously works to combat climate change and boost economic growth around the world.[351] Transformative decisions need to include improving countries' natural resource management in order to achieve this goal and truly invest in a green economy.[352]

ECLAC Member States must review the current mechanisms and institutions involved in natural resources utilization. The transformative decisions are time sensitive, as the economy of the region is not entirely recovered from the last economic downturn.[353] While the price of natural resources is high, states must take action to invest in the future, both domestically and on a regional level.[354] This could include steps toward regional governance of resources and shared profits. Any such action would have to be balanced with the sovereign right of each Member State to profit independently.[355] While trade agreements and technology sharing are already in progress, there are several areas of potential cooperation that have yet to be explored.[356]

Delegates should consider the following questions when researching this topic: might more progress be made through regional cooperation initiatives than the solely domestic attempts of the past? How successful have past attempts been at preventing environmental degradation while not inhibiting development? Are there examples where states or regions have successfully reached a balance? Where have the states of Latin America and the Caribbean done well and by contrast, where are the areas of improvement and frontiers for further policy development?

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British Broadcasting Company. (2012). *Brazil biofuel: Shell axes 'illegal' sugar cane plan*. Retrieved 1 July 2013 from: http://www.bbc.co.uk/news/world-latin-america-18433008
> *While the case study on Brazil primarily highlights the success of biofuels as an alternative energy, this article sheds light upon one of the potentially negative outcomes. The private companies involved in utilizing natural resources must consider the social and cultural impacts as well as the potential for economic benefit. Below the article delegates can find other related articles that would serve as supplements to the case studies.*

United Nations, CEPAL Review No.66. (1998). *A Development Strategy Founded on Natural Resource-based Production Clusters* [Report]. Retrieved 27 July 2013 from: http://www.eclac.org/cgi-bin/getProd.asp?xml=/revista/noticias/articuloCEPAL/9/19899/P19899.xml&xsl=/revista/tpl-i/p39f.xsl&base=/revista/tpl/top-bottom.xslt
> *The majority of the statistics in the introduction come from this paper. This paper is really helpful for understanding the relationship between industrialization and natural resources. This document is technical, but offers good information about the region. Delegates should use this document as a starting point for research on the topic.*

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[348] Ibid.
[349] Ibid.
[350] WTO, *World Trade Report 2010 Report - B. Natural Resources: definitions, trade patterns and globalization*, 2010.
[351] McCalister, Terry, The Guardian. *UN: Rebuild Global Economy Through Green Investment,* 2008.
[352] Ibid.
[353] UN Economic Commission for Latin America and the Caribbean, *Natural Resources within the Union of South America: Status and Trends for a Regional Development Agenda [Report], 2013.*
[354] Ibid.
[355] Ibid.
[356] Ibid.

United Nations, Economic Commission for Latin America and the Caribbean. (2013). *Natural Resources and Infrastructure Division* [Website]. Retrieved 30 June 2013 from: http://www.cepal.org/drni/
>
> *This is a must read for delegates to introduce the thematic division within ECLAC under which the topic falls. The page, in Spanish, offers current updates on the work of the division as well as links to relevant publications. This division explains that pre- and post-crisis strategies to addressing the natural resources topic exist. This is explained in detail on the 'About the Division' link (also in Spanish).*

United Nations, Economic Commission for Latin America and the Caribbean. (2013). *Natural resources within the Union of South America: Status and trends for a regional development agenda* [Report]. Retrieved 30 June 2013 from: http://www.eclac.org/publicaciones/xml/4/49894/NaturalResourceUNASUR.pdf
>
> *This is a great resource for delegates. The document provides a solid overview of the situation in the region as it pertains to the topic. One caveat is that the Caribbean is not discussed. Because this document was published in 2013, the information is really up to date and offers the most current situation analysis of the natural resources in the region.*

United Nations, Economic Commission for Latin America and the Caribbean. (2013). *Recursos naturales en UNASUR: Situación y tendencias para una agenda de desarrollo regional. Caracas, Venezuela, 27- 30 de mayo de 2013* [Report]. Retrieved 30 June 2013 from: http://www.cepal.org/cgi-bin/getProd.asp?xml=/drni/noticias/noticias/1/50141/P50141.xml&xsl=/drni/tpl/p1f.xsl&base=/drni/tpl/top-bottom.xsl
>
> *This page discusses the work of UNASUR as it pertains to natural resources, specifically a recent publication. While the page is mostly promoting the publication it does provide a good summary of the current state of natural resources and necessary development for South America. Delegates may want to use this page to get an overview of the content before exploring the publication in its entirety to limit the complexity.*

United Nations, Economic and Social Council. (2013). *Mainstreaming of the three dimensions of sustainable development throughout the United Nations system: Report of the Secretary-General*. Retrieved 22 August 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=E/2013/69
>
> *This is easy to read and offers a lot of good examples of the UN involvement in the region. The UN System Involvement section offers details from this document and delegates can refer to the page for further incites. This is a good overview of how the UN is currently approaching the topic of sustainable development.*

United Nations. (1992). *Agenda 21*. [Report] Retrieved on 27 August 2013 from: http://sustainabledevelopment.un.org/index.php?page=view&nr=23&type=400&menu=35
>
> *As this is part of the international framework on sustainable development, delegates should read this document. Agenda 21 is one of the most influential documents as it set the stage for subsequent international conferences. Agenda 21 was written in 1992 in Rio de Janiero Brazil as the outcome document of the United Nations conference on Environment and Development.*

Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development. (2013). *WSSD Plan of Implementation: Paragraph 24* [Report]. Retrieved 22 August 2013 from: http://www.globaldialogue.info/paragraph46.htm
>
> *Similar to Agenda 21 this framework document is a good reference for delegates. The document provides a context for the current discourse. The site also provides helpful links to other framework documents. Delegates should reference this document to find more recommendations regarding mining and metals specifically.*

Economic Commission for Latin America and the Caribbean. (2013). *División de Recursos Naturales e Infraestructura.* [Website] Retrieved 28 July 2013 from:
http://www.cepal.org/drni/

*This page is helpful to introduce delegates to the work of ECLAC. The pages gives an overview of the division's focus and work. Delegates should refer to this page to better understand the scope of work that is possible and see how this topic is currently being addressed within the body.*

United Nations, Department of Economic and Social Affairs. (2013). *High-Level Political Forum*. [Website] Retrieved 22 August 2013 from: http://sustainabledevelopment.un.org/index.php?menu=1556
> *Delegates will find it interesting that is so new and current. This is a good resource to get an idea of what is coming in the near future. This cite also provides links to other helpful webpages and documents related to the topic. This is a great resource as it offers multiple resources in a consolidated location.*

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## Rules of Procedure of the Economic Commission for Latin America and the Caribbean (ECLAC)

### Introduction

1. These rules shall be the only rules which apply to the Economic Commission for Latin America and the Caribbean (ECLAC) (hereinafter referred to as "the Commission") and shall be considered adopted by the Commission prior to its first meeting.

2. For purposes of these rules, the Director, the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretaries-General, are designates and agents of the Secretary-General and Deputy Secretary-General, and are collectively referred to as the "Secretariat."

3. Interpretation of the rules shall be reserved exclusively to the Deputy Secretary-General or her/his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations (NMUN) 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 Commission, which can be any member of the Secretariat or their designate.

5. The practice of striving for consensus in decision-making shall be encouraged. NMUN also acknowledges it may sometimes be necessary for a Member State to abstain or vote against a resolution it cannot support for policy reasons.

### I. SESSIONS

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

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

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

The Commission 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 Deputy Secretary-General and communicated to the members of the Commission at least sixty days before the opening of the session.

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

The agenda provided by the Deputy 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.

*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 means those Member States and observers, in attendance at the meeting during which this motion comes to a vote. Should the Commission not reach a decision by conclusion of the first night's meeting, the agenda will be automatically set in the order in which it was first communicated.*

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

During a session, the Commission 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. Debate on the inclusion of an item in the agenda shall be limited to three speakers in favor of, and three against, the inclusion. 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 Commission so decides by a two-thirds majority of the members present and voting. No additional item may, unless the Commission decides otherwise by a two-thirds majority of the members present and voting, be considered until a commission has reported on the question concerned.

> *For purposes of this rule, the determination of an item of an important and urgent character is subject to the discretion of the Deputy Secretary-General, or his or her designate, 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 Commission to be placed on the agenda. The votes described in this rule are substantive votes, and, as such, observers are not permitted to cast a vote. For purposes of this rule, ―the members "present and voting" ― means 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 Commission.

2. The Secretary-General, in cooperation with the Deputy Secretary-General, shall provide and direct the staff required by the Commission and be responsible for all the arrangements that may be necessary for its meetings.

**Rule 8 - *Duties of the Secretariat***

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

**Rule 9 - *Statements by the Secretariat***

The Secretary-General or her/his designate, may make oral as well as written statements to the Commission 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 Commission 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 or her/his designate.

## IV. LANGUAGE

### Rule 12  - *Official and working language*

English shall be the official and working language of the Commission during scheduled sessions (both formal and informal) of the Commission.

### 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. The language should be the official language of the country you are representing at NMUN.*

## 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 Commission are present. The presence of representatives of a majority of the members of the Commission shall be required for any decision to be taken.

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

### 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 Commission, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Commission and over the maintenance of order at its meetings. He or she shall rule on points of order. The President may propose to the Commission the closure of the list of speakers, a limitation on the speakers time 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 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 and is limited to entertaining motions.*

### Rule 16  - *Authority of the Commission*

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

### Rule 17  - *Voting rights on procedural matters*

Unless otherwise stated, all votes pertaining to the conduct of business shall require a favorable vote by the majority of the members "present and voting" in order to pass.

> *For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this rule is applied. Note that observers may vote on all procedural votes; they may, however, not vote on substantive matters (see Chapter VI). Every delegation must cast a vote in procedural votes. Further, there is no possibility to abstain or pass on procedural votes*

**Rule 18  - *Points of order***

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

> *Such points of order should not under any circumstances interrupt the speech of a fellow representative. They should be used exclusively to correct an error in procedure. 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 (on her/his own accord), during the speech. For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this motion comes to vote.*

**Rule 19  - *Speeches***

No representative may address the Commission 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. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

> *In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, the Secretariat will set a time limit for all speeches which may be amended by the Commission through a vote if the President, at his or her discretion, decides to allow the Commission to decide. In no case shall the speakers time be changed during the first scheduled session of the Commission. Consequently, motions to alter the speaker's time will not be entertained by the President. The content of speeches should be pertinent to the agenda as set by the Commission.*

**Rule 20  - *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 Commission, declare the list closed. Once the list has been closed, it can be reopened upon by a vote of the Commission. 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 Commission.

> *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 Commission. A motion to close the speakers list or reopen (if the list has already been closed) is within the purview of the Commission 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 Commission 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. The right of reply will not be approved should it impugn the integrity of another State.*

**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. Delegates should not state a purpose for the suspension.

> *This motion should be used to suspend the meeting for lunch or at the end of the scheduled commission session time. Delegates should properly phrase this motion as "suspension of the meeting," and provide a length of time when making the motion.*

**Rule 23** - *Adjournment of the meeting*

During the discussion of any matter, a representative may move to 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 Commission shall reconvene at its next regularly scheduled meeting time.

> *As this motion, if successful, would end the meeting until the Commission'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 Commission.*

**Rule 24** - *Adjournment of debate*

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Two representatives may speak in favor of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

**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 Commission favors the closure of debate, the Commission shall immediately move to vote on all proposals introduced under that agenda item.

**Rule 26** - *Order of motions*

Subject to Rule 18, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

1. To suspend the meeting;

2. To adjourn the meeting;

3. To adjourn the debate on the item under discussion;

4. To close the debate on the item under discussion.

**Rule 27** - *Proposals and amendments*

Proposals and amendments shall normally be submitted in writing to the Secretariat. Any proposal or amendment that relates to the substance of any matter under discussion shall require the signature of twenty percent of the members of the Commission [sponsors].

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 Commission 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 Commission 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 Commission 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 during formal speeches. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Commission. These draft resolutions are the collective property of the Commission 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. Should delegates wish to withdraw a working paper or draft resolution from consideration, this requires the consent of all sponsors.*

### Rule 28 - *Withdrawal of motions*

A motion may be withdrawn by its proposer at any time before voting has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

### Rule 29 - *Reconsideration of a topic*

When a topic has been adjourned, it may not be reconsidered at the same session unless the Commission, 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. The President may limit the time to be allowed to speakers under this rule.

### Rule 30 - *Invitation to silent prayer or meditation*

Immediately after the opening of the meeting and immediately preceding the closing of the meeting of each session, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation upon receiving a motion from a representative.

## VI. VOTING

### Rule 31 - *Voting rights*

Each member of the Commission 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 32 - *Request for a vote*

A proposal or motion before the Commission for decision shall be voted upon if any member so requests. Where no member requests a vote, the Commission 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. Adoption by "acclamation" or "without a vote" is consistent not only with the educational mission of the conference but also the way in which the United Nations adopts a majority of its proposals.*

**Rule 33** *- Majority required*

1. Unless specified otherwise in these rules, decisions of the Commission 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 on substantive votes.*

**Rule 34** *- Method of voting*

1. The Commission 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 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, when requested a second time, respond with either a yes or no vote. 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 Commission 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 Commission 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 35** *- 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. Only delegates who are sponsors of a draft resolution that has been adopted with an unfriendly amendment, whom subsequently voted against the draft resolution may explain their vote.*

**Rule 36** *- 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.

*For purposes of this rule, there shall be no communication among delegates, and if any delegate leaves the Commission room during voting procedure, they will not be allowed back into the room until the*

*Commission has convened voting procedure. Should a delegate who is also serving as Head Delegate leave the room, they may reenter but they may not retake their seat and participate in the vote.*

### Rule 37 - *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 an 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 approved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or 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 38 - *Amendments*

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal. Permission to speak on the amendment shall be given only to two speakers in favor and two speakers against.

> *An amendment can add, amend, or delete entire operative clauses, but cannot in any manner add, amend, delete, or otherwise affect preambular clauses or sub-clauses of operative clauses. The President may limit the time to be allowed to speakers under this rule. These speeches are substantive in nature.*

### Rule 39 - *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 40 - *Order of voting on proposals*

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

### Rule 41 - *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 42 - *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 43 - *Authority of the General Assembly***

The Commission 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 44 - *Participation of non-Member States***

The Commission shall invite any Member of the United Nations that is not a member of the Commission and any other State, to participate in its deliberations on any matter of particular concern to that State.

A sub-commission or sessional body of the Commission 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. 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 Commission considers that the presence of a Member invited, according to this rule, is no longer necessary, it may withdraw the invitation. Delegates invited to the Commission according to this rule should also keep in mind their role and obligations in the Commission 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 commission when his or her presence in the Commission is no longer required. Delegates may request the presence of a non-member of their commission simply by informing the President that this is the desire of the body, there is no formal procedural process.*

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

The Commission 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.

> *National liberation movements are only represented at NMUN in two ways: (1) if their delegation has been assigned explicitly the national liberation movement itself; or (b) should the Security Commission wish to hear from a representative of the movement in their deliberations, the Secretariat shall provide the appropriate representative.*

**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 Commission 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 Commission or of the subsidiary organ concerned.

> *NMUN does not assign delegations to Specialized Agencies.*

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

Representatives of non-governmental organizations/intergovernmental organizations accorded consultative observer status by the Economic and Social Council and other non-governmental organizations/intergovernmental organizations designated on an ad hoc or a continuing basis by the Commission 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 Commission on questions within the scope of the activities of the organizations.

> *NMUN will assign delegations an NGO instead of a Member State upon request.*