



# THE 2006 NATIONAL MODEL UNITED NATIONS

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Dear Delegates,

Let me be the first to welcome you to the 2006 National Model United Nations (NMUN) Conference. My name is Amanda Williams and I will be serving as the Director of the United Nations Committee on Economic, Social and Cultural Rights (CESCR). This will be my second year on Staff for NMUN. Last year I served as the Director for the League of Arab States. I have completed my Masters of Social Work degree from the University of Texas at Arlington where I concentrated on international social work with an emphasis on sibling on sibling sexual abuse. Prior to that I attended Austin College where I received my Bachelors in International Studies with an emphasis in West Africa and gender studies. I currently work as the Assistant Director for the Center for Experiential Learning a division of the American Center for International Policy Studies (AMCIPS). In this position I bring students from around the world to Washington, DC to study international relations with a hands-on approach.

CESCR is a committee made up of experts focusing on the implementation of the International Covenant on Economic, Social, and Cultural Rights. Traditionally the committee reviews Member State progress reports on the implementation of the Covenant. However, due to constraints at the conference, a modified simulation will be used. Three topics will be addressed, which will span over the entire world. It is still expected that delegates will study specific Member States reports and use these in the final report of the committee.

As experts of CESCR, you should be prepared to discuss the following topics:

1. Protection of the Rights of Migrant Workers;
2. Understanding the Effects of Economic Sanctions on a Disadvantaged Population; and
3. The Marginalization of Education on a Global Level.

Since CESCR is comprised of technical experts, there is much cooperation in the body and because of this it is important that delegates know both their country position along with their experts' position. In addition, your success at the Conference relies upon your ability to gain a conversational understanding of the relevant technology and terms.

Each delegation is required to submit a position paper. Similar to last year, NMUN is accepting papers via email. All papers are due by **March 10, 2006**. An important message from the Director-General regarding where papers should be submitted, expectations for their content and format, and inquiring about alternatives to email submission is included on pages 2 to 3 of this guide. It is vital that all delegates adhere closely to these instructions.

I would like to reiterate how excited I am about this year's Conference. I look forward to seeing the growth that you will experience at NMUN and the life long friendships you will all make. I look forward to receiving your position papers, which should address both your expert advice on the topic and your country position. Position papers should be written as a recommendation for the body to follow. They will be made available for others at the conference to ensure that everyone has access to the expertise of others. If you have any questions or comments about the Committee or the information provided to you in this background guide, please feel free to contact me. Good luck and looking forward to meeting you in April!

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## **Message from the DG Concerning Special Features Regarding the CESCRC Committee**

To better simulate the actual workings of the UN system and its related organizations and facilitate the educational environment created by the NMUN Conference, the 2006 NMUN Conference is using many of the rules and procedures used by the bodies being simulated. It is vital that all materials provided in this background guide be reviewed thoroughly prior to attending the conference in April. All delegates should be very familiar with the particular rules and procedures discussed in this special message and the rules of procedure further illustrated in back of this committee background guide.

The CESCRC committee will use most of the standard rules used in the ECOSOC Plenary with one major exception. All NGOs participating in the CESCRC committee will be allowed to speak for a maximum of one minute at the beginning of debate on a given agenda topic and a one minute speech prior to beginning voting procedures on a given agenda topic. During these speeches, NGOs will present relevant information to the topic. In this time they should present what their opinion is on the topic and an analysis of what is the future of the topic. NGOs are not required to speak during this time, but they are afforded the option to speak once when the committee has begun discussion on a given agenda topic. Similarly, they are only allowed to speak once prior to voting procedures on a given agenda topic. NGOs will still have the opportunity to be added to the speakers list after their opening speech.

For further clarification of this point, please see the discussion of this variation in the right to speak before the committee at the end of the CESCRC Committee History. Delegates will also find discussion of this variation in the Rules of Procedure for CESCRC that can be found at the end of this background guide.

If you have any questions concerning this issue, please do not hesitate to contact Amanda Williams, the Director of CESCRC at [cescr@nmun.org](mailto:cescr@nmun.org); Christine Richmond, the Under-Secretary General for ECOSOC, at [usg.ecosoc@nmun.org](mailto:usg.ecosoc@nmun.org); or myself at [dirgen@nmun.org](mailto:dirgen@nmun.org).

## Message from the Director General Regarding Position Papers for the 2006 NMUN Conference

Position papers are submitted for each committee in which a State/NGO participates at the NMUN Conference. Position papers should provide a concise review of each delegation's foreign policy regarding the topic areas under discussion and establish precise policies and recommendations in regard to the topics before the committee. International and regional conventions, treaties, declarations, resolutions, and programs of action of relevance to the policy of your State/NGO should be identified and addressed. Position papers also serve as a blueprint for individual delegates to remember their country's position throughout the course of the Conference.

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

An important component of the awards consideration process is the format of the position papers. Please refer to the sample paper on the following page for a visual example of what your work should look like at its completion. The following format specifications are **required** for all papers:

- All papers must be typed and formatted according to the example in the background guides (following the specifications below will ensure this)
- Length must **not** exceed one double-sided page (two single-sided pages is **not** acceptable)
- Font **must** be Times New Roman sized between 10 pt. and 12 pt.
- Country/NGO name, School name and committee name clearly labeled on the first page
- Agenda topics clearly labeled in separate sections
- No binding, staples, paper clips, or cover sheets should be used on any of the papers

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

1. A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. (Each address is also listed in individual background guides who will be mailed in November.) These e-mail addresses will be active after 30 November. Delegates should carbon copy (cc:) themselves as confirmation of receipt.
2. Each delegation should send one set of all position papers to: *positionpapers@nmun.org*. This set (held by the Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments. *NOTE: This e-mail should only be used as a repository for position papers.*

Each of the above listed tasks needs to be completed no later than **March 10, 2006**. *E-mailed files should be in Microsoft Word (.doc), Rich Text (.rtf), or Adobe (.pdf) formats.*

**PLEASE TITLE EACH E-MAIL/DOCUMENT WITH THE NAME OF THE COUNTRY & COMMITTEE**

*A matrix of received papers will be posted online for delegations to check by March 20, 2006. If you need to make other arrangements for submission, please contact Kevin Grisham, Director General, at [dirgen@nmun.org](mailto:dirgen@nmun.org) or at 909-991-5506.*

Additionally, each delegation should submit a copy of their position paper to the permanent mission of the country you are representing along with an explanation of the Conference. Those delegations representing NGOs do not have to send their position paper to their NGO headquarters, although it is encouraged. This will assist them in preparing your mission briefing in New York.

Finally, please consider that over 1,000 papers will be handled and read by the Secretariat for the Conference. Your patience and cooperation in strictly adhering to the above guidelines will make this process more efficient and is greatly appreciated. Should you have any questions please feel free to contact the conference staff, though as we do not operate out of a central office or location your consideration for time zone differences is appreciated.

A handwritten signature in black ink, appearing to read 'K. Grisham', with a long horizontal flourish extending to the right.

Kevin E. Grisham  
Director-General

## Sample Position Paper

The following position paper is designed to be a sample of the standard format that an NMUN position paper should follow. While delegates are encouraged to use the front and back of a single page in order to fully address all topics before the committee, please remember that only a maximum of one double-sided page (or two pages total in an electronic file) will be accepted. Only the first double-sided page of any submissions (or two pages of an electronic file) will be considered for awards. Visit the downloads section at [www.nmun.org](http://www.nmun.org) to find an example of an award-winning position paper. When using these sources, please be mindful of the NMUN's policy against plagiarism.

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*Delegation from*  
**The State of Tranquility**

*Represented by the*  
**University of Bohemia**

### *Position Paper for the General Assembly Plenary*

The issues before the General Assembly Plenary are: The Situation in Sub-Saharan Africa; Racism and Racial Discrimination, and A Comprehensive Review of United Nations Peacekeeping Operations. The State of Tranquility a proud member of the Regional Alliance of Peaceful Countries and a fully supports other regional groups in their efforts to coordinated a regional plan for sustained and sustainable development. In that regard, the State of Tranquility recognizes the necessity of ensuring the full realization of the Right to Development as declared in the Declaration on the Right to Development and the Final Report of the Working Group on the Right to Development. Tranquility fully supports the implementation of national development plans with the cooperation of regional organizations, the United Nations, and the international community. Tranquility is firmly committed to addressing the underlying factors

#### **I. The Situation in Sub-Saharan Africa**

The State of Tranquility believes that the principles of sovereignty, territorial integrity and economic security lend themselves to the pacific settlement of disputes in Sub-Saharan Africa, the most ethnically diverse region in the world. The lack of development in the region constitutes the root cause of political instability and conflict. The report of the Secretary-General, *An Agenda for Peace: Recommendations*, if implemented, could enhance the work of the Organization in its efforts to bring about sustainable development in Africa. Tranquility also believes that the use of preventive development in Africa could ensure that conflicts such as those in Liberia, Rwanda, Angola, Somalia and the Democratic Republic of the Congo can be avoided before they erupt. While obstacles to be overcome are many, international support for effective national programs to ensure the relief to rehabilitation to development continuum through post-conflict peace-building, can enable Sub-Saharan Africa and the entire developing world to achieve the sustainable development which alone will guarantee regional peace and stability. The State of Tranquility fully supports the increased cooperation between the United Nations and regional organizations in all aspects of dispute settlement and peace-keeping. Increased support for such regional efforts, when combined with measures to eliminate the root causes of regional conflict, serves to further enhance the prospects for lasting peace, security and development in Sub-Saharan Africa and throughout the entire international community.

#### **II. Racism and Racial Discrimination**

The State of Tranquility believes that the World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance offers the global community an opportunity to establish an updated plan of action to completely eradicate racism and racial discrimination throughout the world. The necessity for all Member States to sign, accede to and ratify the International Convention on the Elimination of All Forms of Racial Discrimination is an integral part of this plan, as policies and practices based on racism and racial discrimination remain devastating to regional social, economic and infrastructure development. Tranquility encourage all States, international organizations and non-governmental organizations to increase their efforts to combat racism, racial discrimination and xenophobia and to provide assistance to those affected by such practices. The lack of financial resources that prevented the international community from realizing its objectives in the three previous United Nations Decades to

Combat Racism and Racial Discrimination must not continue to hinder the international community in guaranteeing the fundamental human rights of all peoples.

### **III. A Comprehensive Review of United Nations Peacekeeping Operations**

The State of Tranquility remains firmly committed in support of the continued role of the United Nations Security Council as the primary agent for the maintenance of international peace and security, as mandated under Chapters IV and V of the UN Charter. We strongly recommend the authorization, determination, composition and financing of peacekeeping operations should be determined by the Council, as authorized by Articles 24, 25 and 26 of the Charter and in conjunction with the recommendations of the Special Committee on Peacekeeping Operations. Additionally, the State of Tranquility endorses the current role of the Secretary-General as administrator of the Operations established by the Council. The State of Tranquility remains a central contributor for both financial and logistical support of the United Nations Peacekeeping forces and will continue to contribute to the United Nations Peacekeeping Budget throughout the duration of the current year.

The State of Tranquility is firmly committed to addressing all threats to international peace and security through regional arrangements and multilateral forums. The international community must address the underlying causes of these conflicts and the destabilizing effects of such conflicts on entire regions. Tranquility is convinced that increased utilization of regional and sub-regional peacekeeping mechanisms can enhance the ability of peacekeeping missions to take into account historical, social, and cultural values and traditions within areas of conflict.

As operation costs continue to escalate, however, our nation strongly urges all Member States and the Secretary-General to devote greater attention to the monetary and management aspects of peacekeeping operations and provide serious consideration for the establishment of operation termination dates. The State of Tranquility further supports the proposal endorsed within A/Res/44/49, calling for Member States to develop and maintain an inventory of supplies and equipment to be made available for Operations on short-notice. In addition, the State of Tranquility calls upon Member States to recognize the need to maintain voluntary contributions for United Nations Peacekeeping Operations to reduce the continuing problems incurred by funding deficits.

## Resolution Writing and Report Writing at the NMUN Conference

The substantive output of committees at the NMUN conference generally takes the form of either resolutions or reports. At the 2006 NMUN Conference, the ICJ and the World Trade Organization (WTO) Ministerial Meeting, will adopt variations on these forms. The ICJ will create judgments and the WTO Ministerial Meeting will produce a declaration.

Please refer to the chart below which designates whether delegates will be writing resolutions or reports in the committee they are participating in at the 2006 NMUN Conference:

- | <u>Resolution Writing Committees</u>   | <u>Report Writing Committees</u>   |
|--|--|
| <ul style="list-style-type: none"><li>• GA Plenary; GA First; GA Second; GA Third; and ILC</li><li>• All Security Council Committees</li><li>• ECOSOC Plenary; ECA; UNICEF; UNEP; and UNDP</li><li>• G-77; OIC; AU; and NATO</li></ul> | <ul style="list-style-type: none"><li>• CSTD; CESC; WCDR; CSW</li><li>• UNAIDS and UNHCR</li><li>• IADB and APEC</li></ul> |

### ***Resolution Writing***

A resolution is the most appropriate means of applying political pressure on Member States, expressing an opinion on an important issue, or recommending action to be taken by the United Nations or some other agency. Most UN resolutions are not binding “law”; the only body which may produce resolutions that are binding upon the Member States of the United Nations is the Security Council. (In most cases, the resolutions and reports produced by the IGO committees simulated at the NMUN Conference are binding upon its individual Member States.)

Under UN rules of procedure, unlike other more generalized rules of procedure, the topic on the floor is debated in its entirety. This means that during debate, delegates should discuss the whole issue and all of the resolutions regarding that issue. When debate is exhausted, or is ended, the body then votes on each resolution and amendment and the issue are considered closed.

The National Model United Nations does not allow pre-written resolutions on any agenda topic. For this reason, delegations are not allowed to contact each other before the conference to begin caucusing. The NMUN process of writing resolutions during committee sessions is designed to teach delegates the concepts of negotiation and concession; pre-written resolutions hinder that learning process.

The goal of formal debate and caucusing is to persuade enough countries in the committee to support a particular solution to the topic under discussion. Resolutions formally state the agreed-upon solution by outlining the relevant precedents and describing the proposed actions. The committee is not limited to one resolution per topic; often the committee will pass multiple resolutions dealing with different aspects of a topic.

### ***Report Writing***

Some committees at the conference will draft reports during the course of negotiations, instead of resolutions. These reports represent the full work of the committee in question. These reports should not be confused with the summary reports of a committee’s work which are presented at the Saturday Plenary Sessions of either the General Assembly or ECOSOC. Directors of report writing committees will elaborate on the process used in reporting writing committees on opening night (Tuesday night). Prior to the NMUN Conference in April 2006, a handout with a lengthier sample report for delegates to use as a model will be posted on the NMUN Conference website at [www.nmun.org](http://www.nmun.org).

Reports are similar in nature to resolutions, with only a few key differences. Reports represent the formal recommendations and/or decisions of the committee on the agenda topics at hand, in the same manner as resolutions, but in the form of one document. Committees that write resolutions typically produce a number of draft resolutions for each topic, and each one is subject to a substantive vote by the body. In a similar manner, committees that write

reports produce several draft report segments and then vote on each one. The final report of these committees will combine the adopted draft reports into one comprehensive report at the end of the simulation.

Another key difference is the format of reports. While resolutions consist of one long sentence, reports are a series of complete sentences. Thus, where the clauses of a resolution each contain one whole concept, a report is composed of paragraphs, each constituted by a sentence or a few sentences which contain one whole concept.

## What to Expect at the Simulation of Your Committee

**Opening session:** After a brief introduction of the dais and some announcements, delegates will discuss the order in which the committee will address agenda topics while in formal and caucus sessions. The committee will then vote on a motion from the floor to set the agenda in a proposed order, and will continue to vote on such motions until one passes by a majority vote. If the committee fails to reach agreement on the agenda order by the conclusion of the first evening, the director and assistant director reserve the right to set the agenda. After the agenda has been set, the chair will entertain motions for the opening of the speakers' list to address the first agenda topic. (It should be noted due to the special procedures used by the International Court of Justice [ICJ] a variety on this process will be used. Delegates participating in the ICJ should carefully follow the delegate preparation section of the Background Guide of the ICJ.)

**Rules of procedure:** The simulation is conducted through the use of the committee rules of procedure, which are included in this background guide. The rules of procedure for this committee – located at the back of this background guide – are the rules of procedure that are only accepted during the simulation of this committee. Interpretation of these rules is left to the sole discretion of the Director-General or her/his designate. It is extremely important to develop a thorough working knowledge of the rules, including when they should be introduced, and in what capacity. The rules of procedure are enforced to facilitate the efficient workings of the committee, not to hinder them. Therefore, the director, assistant director and chair (with the approval of the director) reserve the right to rule motions out of order which may be considered dilatory or disruptive to the committee proceedings. In this respect, one of the quickest ways for a delegate to alienate him/herself within a committee is to be labeled a “rules hound,” or someone who attempts to disrupt committee proceedings with the introduction of redundant, inappropriate or time-consuming motions.

**Decorum:** Decorum is a *de facto* rule throughout the week of the simulation. In both large and small committees, the ability to conduct normal business while in formal session is an arduous task when decorum is not maintained; delegates will be asked for their assistance in this endeavor. Please see the Delegate Preparation Manual for a specific discussion of delegate decorum in committee and also, delegate behavior while at the Conference.

**Caucusing:** Caucusing is an important and logistically difficult component of the United Nations simulation. These informal meetings between voting blocs, as well as between States with positions that are diametrically opposed, often produce compromises acceptable to all parties. However, delegates are required to address issues within a week's time which, in many cases, the international community has failed resolve after years of debate and negotiation. Further, delegates to the NMUN do not have individual offices in which to convene informal meetings. As a result, the bulk of informal negotiation and the construction of working papers will occur within, or in the close proximity of, the committee chambers. In consideration for the other Conference participants, delegates are asked to respect the formal proceedings occurring both within and between all committees participating at the Conference. Finally, given the importance of decorum within committee chambers, all caucusing should occur outside of the committee chambers while committee is in session.

**Chairs and Rapporteurs:** Delegates should also take note that the director and assistant director (with the approval of the Director-General) will select a committee chair and rapporteur (committee administrative assistant) following the conclusion of interviews on the first evening of the Conference (Tuesday evening). For those interested in the opportunity to serve the committee as a chairperson or rapporteur, an application is available online at [www.nmun.org](http://www.nmun.org). The application should be completed and submitted to the director no later than the opening night of the Conference. The successful candidate for chair will demonstrate an excellent working-knowledge of the rules of procedure through a series of situations presented to her or him and exhibit qualities of leadership, patience and



humility. The rapporteur will assist the chair, the director and the assistant director with the abundance of paperwork and record keeping required in the efficient workings of the committee, as well as provide logistical support for the chair while in voting procedures. Multiple years of attendance at the NMUN Conference is preferred in candidates for the committee chair and rapporteur, but it is not the only defining characteristic used by the Directors and Assistant Directors to select chairs and rapporteur for committees.

Delegates selected to serve in these positions must forfeit their rights to participate in substantive debate within the committee. Although the chair and rapporteur continue to serve as representatives of their assigned State, their primary duty is to assist the director and assistant director in facilitating the professional operation of the committee. Additionally, delegates selected as committee chairs and rapporteurs do retain an equal eligibility for awards consideration. All delegates are encouraged to apply for these challenging and rewarding positions. Many individuals who serve as chairs and rapporteurs have in later years served as members of the NMUN Volunteer Staff.

**Attire:** In keeping with the spirit of the simulation, delegates are *required* to wear professional business attire. Further, national symbols of any kind are forbidden in committee chambers, in accordance with practices of the UN. Symbols associated specifically with the United Nations (e.g., the seal of the UN) are allowed in committee chambers.

## **Your Role as a Delegate at the 2006 NMUN Conference**

### ***Taking on the Role of a Diplomat***

The most important aspect of participating as a delegate to the NMUN is your assumption of the role of a foreign diplomat. In this role, you are acting as a representative of the government and the peoples of the Member State or NGO to which you have been assigned. The only exception is those delegates who are serving as justices on the International Court of Justice [ICJ]. In their capacities, those delegates serving as justices are serving as independent technical experts.

While in preparation for and throughout the duration of the Conference, you may find personal disagreement with the foreign policy of the country you are representing or with the policy of the NGO you are representing. Your personal opinions are entirely inapplicable during the course of the simulation. Therefore, it is of the utmost importance for all delegates to arrive well-versed in the dynamics of their State's foreign policy or in that of their NGO, and anticipate possible obstacles their State or NGO may encounter during the simulation. The simulation's quality depends on the collective preparation of its participants.

As a delegate, you should be able to demonstrate thorough knowledge of your assigned country's policies, specific issues to be discussed, and the procedures, activities, and history of your committee. Delegates should also exhibit the ability to negotiate and compromise, demonstrate leadership, and the ability to influence by gaining the professional respect of fellow delegates. States and NGOs maintain specific and adaptive foreign policy methods and goals to allow delegates to function in the negotiation process. As a representative of the NGO or State to which you have been assigned, you will be expected to work within the historical confines of your NGO or country's foreign policy at the UN. Even though many Member States and Observer States do not assume strong leadership roles in the UN, the reality of the NMUN is that each delegation will be judged on its ability to provide leadership to other delegates throughout the Conference.

Delegates are reminded that professional diplomats conduct themselves, and regard one another, with the utmost dignity and respect, regardless of foreign policy affiliation or personal feelings. Even States and NGOs who observe severely conflicting ideological perspectives will work closely together, within the UN, on diplomatic matters of mutual concern. Likewise many delegates are forced to work together despite personal conflicts.

### ***The Preparation and Introduction of Resolutions and Reports***

Resolutions and reports adopted within respective committees represent Member States' decisions and recommended courses of action with respect to the topics under discussion. Clauses within the preamble of resolutions should provide a brief outline of historical and current perspectives and endeavors regarding the issues to be addressed within the operative clauses of the document. The operative clauses of resolutions provide the objectives and potential actions that Members designed to address the issues outlined within the preamble. More simply, the preamble states the problems before the committee in relation to the topic under deliberation and operative clauses outline the decisions of the committee for the solution of these problems.

Although delegates are encouraged to develop resolution and report writing skills, both in classroom scenarios and at regional MUN simulations, the NMUN will not accept any pre-written resolutions or reports, and which have not been developed by a plurality of the committee. This determination is at the sole discretion of the Secretariat. Due to the goal of creating an environment where the skill of compromise and conflict resolution skills can be learned, delegates may be asked to merge working documents with other individuals working on the same issue in a committee. In addition, *any delegates found to be submitting plagiarized material within resolutions will be subject to dismissal from further participation within the Conference.* Although UN documents are within the public domain, the verbatim exploitation of these documents *will not be permitted* at the Conference.

Resolutions and reports are developed in three stages. In the initial stage, a resolution or report is referred to as a working paper (in resolution writing committees) or a working draft report segment (in report writing committees). It is generally developed by States or experts that share common perspectives on the issues to be addressed. The working paper/working draft report segment is shared with other delegates in the committee for their input and support. Once the working paper/working draft report segment gathers the required signatories, it is to be submitted to the committee director for approval. On the approval of the director, the working paper/working draft report segment will be copied by Conference Services and introduced by the chair to the committee as a draft resolution or report.

Once the working paper/working draft report has been approved by the committee director, it will be copied by a member of the dais. Delegates in the committee are not required to copy approved working paper/working draft report. Yet, working paper/working draft report which have not been approved by the committee director will not be copied by the dais and it is the responsibility of the delegates to copy their own working paper/working draft report if they choose to share copies of the pre-approved document. Any questions concerning this issue should be directed to the committee director or the assistant director. Also, questions concerning this rule can be directed to members of the NMUN Conference Service Staff.

Once the working paper/working draft report has been introduced as a draft resolution or draft report segment, it becomes the property of the committee and all references to sponsorship, with the exception of identifying the status of amendments while in voting procedure, are formally removed. The central contributors to the contents of the draft resolution or report will continue to enlist the advice and support of as many States or experts as possible to expand upon the substance of the draft and, thereby, gain as much input and support as possible prior to the closure of debate. Once the committee moves to closure on a given topic, all draft resolutions and draft report segment will be voted upon and when adopted, it will thereafter be recognized as formal resolutions or reports.

Adopted resolutions and reports represent recommendations for States and the international community. The legal status of each document depends on which committee the resolution or report is coming from within the organization. For instance, the General Assembly's resolutions are not legally binding political treaties, but the decisions of the Security Council are binding on all Member States. Most countries avoid the embarrassing political position of failing to promote and implement the recommendations they publicly endorsed within the UN. In regard to the IGO committees simulated at the 2006 NMUN Conference (G-77; OIC; AU; APEC; IADB, and NATO), many of the documents passed by the committee are only binding on the Member States of that particular IGO. For example, decisions made by the Organizations of the Islamic Conference (OIC) are only binding on those states which belong to this body. (The decisions by these IGOs will be reported to the General Assembly at the Saturday meeting on the General Assembly.)

It is highly recommended that delegates introduce their ideas to the committee in the form of working papers/working draft report segments as soon as possible in order to contribute to the potential development and adoption of resolutions and reports which characterize the united representative strength and will of regional blocs or, ultimately, the committee as a whole. Typically, a number of working papers/working draft segments before any committee will overlap in content, style, and substance. In this event, the director will request delegates to integrate their individual endeavors into a single and, thus, more comprehensive and internationally representative document.

### ***The Executive Bureau, the General Committee and Saturday Plenary Sessions***

By the conclusion of Tuesday night sessions, the Economic and Social Council Plenary will select four vice-presidents to assist the president (chair) as members of the Council Executive Bureau. Likewise the General Assembly will select 21 of its Members to the General Committee by Tuesday evening. The members of the Bureau and the General Committee are to be selected with regard for equitable geographic representation from: African States, Asian and Pacific States, Eastern European States, Latin American States and Western European and other States. The Bureau will meet on Friday evening, following the conclusion of regular sessions. The General Committee will be composed somewhat differently than the Bureau. It will be comprised of each committee chair from the General Assembly department. They will also meet at the end of regular sessions on Friday evening.

On Friday, the Bureau and General Committee will be briefed by a representative from each relevant committee regarding the work accomplished by their body throughout the week. After reviewing the reports and resolutions submitted by the committee representatives, the Bureau and General Committee will set the agenda for Saturday sessions to deliberate upon each committee's recommendations to the Plenary.

**ECOSOC Executive Bureau:** The Saturday ECOSOC Plenary Session will deliberate upon the work of all the committees within the ECOSOC Department, as well as other relevant bodies, including most of the specialized agencies. During the Friday evening meeting, the Bureau will set an agenda order for the review of these reports for deliberation and potential adoption during Saturday sessions. Additionally, the Saturday session of ECOSOC Plenary will be deliberating upon a fourth topic to be prepared and introduced by the director and assistant director. This topic will be made available to delegates on Friday afternoon and will encompass a broad theme that relates, as much as is possible, to issues discussed by each of the committees within ECOSOC and the specialized agencies.

**GA General Committee:** On Saturday the General Assembly Plenary will deliberate upon the work submitted by each of the committees in the GA and Security Council department, as well as relevant inter-governmental organizations and other bodies. Following the conclusion of regular sessions on Friday, the General Committee will set the agenda order for the review of these reports and resolutions and for their potential adoption during Saturday sessions.

**Saturday Sessions:** On Saturday, the final day of the Conference, the ECOSOC Plenary, General Assembly Plenary, and Security Council will convene at United Nations Headquarters. Plenary deliberations will encompass the work of all Conference committees; and all delegates are advised to participate in the Saturday sessions in order to assist Plenary representatives with their broad scope of work. Minimally, Member State representatives to the Plenary should be briefed in regard to the work of the committees that report to their respective departments. Ideally, the representatives of the committee whose work is being considered will sit with Plenary representatives as expert advisors to the State. The agenda for Saturday sessions will be made available outside Delegate Resources by 9:00 p.m. on Friday.

## **The Role of Non-governmental Organizations in the Simulation**

Non-governmental organizations (NGOs) are recognized in Article 71 of the *UN Charter* as consultative bodies in relationship to ECOSOC. These organizations also maintain a close working relationship with almost all ECOSOC funds and programs, specialized agencies, General Assembly committees, and regional organizations. In this role, NGOs are an invaluable resource to the UN system because they provide information on political, economic, social, humanitarian, and cultural developments in all parts of the world. Their recommendations may address potential solutions to global problems, speak to specific country or regional needs, or call attention to an emerging crisis.

NGOs are a crucial link between policy-makers and the individuals directly affected by those policies. They represent civil society and its impact on the UN system. There are two primary advantages NGOs have over the UN in terms of information gathering and program implementation. First, NGOs are often locally based and have better knowledge of regional conditions, needs, and constraints. Second, NGOs may find it easier to gain the acceptance, trust and cooperation of the communities in which they work because they are more aware of the indigenous cultural climate than many intergovernmental organizations. If the UN attempted to gather independently all of the information available to NGOs, it would consume vast amounts of time and scarce financial resources that are better applied to actual programs.

The global summit process that characterizes much of the UN's work in the 1990s has brought new attention to NGOs. At the Earth Summit in Rio de Janeiro in 1992, participation in the NGO forum surpassed all previous records. Although they were not invited to formally participate in negotiations, the massive NGO presence indicated recognition of their importance by conference organizers. In 1993, at the World Conference on Human Rights in Vienna, the NGO forum took place in the same building as the official meetings. This increased access to the proceedings brought NGOs to a new level of integration in global summits. At later conferences, such as the Cairo Conference on Population and Development, the Copenhagen World Summit on Social Development, the Fourth World Conference on Women in Beijing, and Habitat II in Istanbul, NGO forums grew in numbers as well as in their abilities to contribute substantively. As the international community continues to review Conferences of the past ten years, it is apparent that the influence of NGOs will set a new precedent for the incorporation of civil society into UN activity at the global level.

### **NGOs at the National Model United Nations Conference**

Over the past several years, the NMUN has integrated the presence of NGOs into committees at the conference. It is an ongoing project that improves the educational quality of the simulation and mirrors developments in the UN itself, where NGOs are gaining both visibility and respect as a resource for program design and implementation. A large number of delegates will take on the challenging task of representing NGO delegations this year.

NGO delegations maintain all of the privileges accorded to traditional country delegations, and are required to exhibit the same level of preparedness. NGO delegations are eligible for awards, based on the same criteria as country delegations, and may select head delegates to attend the Head Delegate Meetings each night. NGO representatives are also required to submit position papers reflecting the perspectives and priorities of their assigned NGO on the agenda topics at hand.

All delegates should take the role of NGOs very seriously. NGO representatives must be prepared to fully participate in all committee activities, including formal debate, caucusing and drafting working papers. In turn, Member State delegates must be prepared to engage NGO delegates in these activities. Mutual recognition and respect between NGO and country delegates is necessary to a successful conference experience.

NGO delegates maintain the following privileges in each committee to which they are assigned:

1. the right to make any procedural motion;
2. the right to vote on all procedural motions;
3. the right to speak before all assigned committees; and
4. the right to act as a signatory on working papers.

Please note that NGO delegates do not have substantive voting rights, and may not sponsor working papers. In order to ensure a positive educational experience for all delegates, these rights and privileges may not exactly reflect those granted by ECOSOC. Any alterations made by the Director General gave due consideration to existing realities and the need to provide a learning environment that encourages active participation. *Please note: Those individuals representing NGOs in the Committee on Economic, Social and Cultural Rights (CESCR) will be afforded the right to speak for a maximum of two minutes at the beginning of the discussion of a topic from the agenda and a maximum of two minutes prior to moving into voting procedures on a given topic. This alteration to the normal rules has been made by the Director General to better simulate the true workings of this particular committee.*

Country delegates are fully expected to work with NGO delegates in the spirit of collaboration upon which the UN was founded. The exclusion of NGOs from committee work simply because they do not have substantive voting rights is both unrealistic and unprofessional. In almost all cases, actions denigrating the participation of NGOs will be considered extraordinarily out of character and be noted in awards consideration. NGOs are expert organizations in their respective fields that possess specialized knowledge of the subject matter at hand. The recommendations of NGO delegates maintain the same validity as those of Member States, and it is incumbent upon country delegates to ensure that those perspectives are recognized.

### **How to Prepare as an NGO Delegation**

As an NGO delegation, your preparation should be structured in the same way as a typical country delegation. The most basic pieces of this process include fundamental knowledge of the organization and of the agenda topics. Based on your research, you will decide how your assigned NGO will approach each topic, and the recommendations you will make for potential solutions. This includes identifying blocs of countries and other NGOs that may share the same perspectives and priorities and collaborate with you in committee sessions.

**NMUN Resources:** In this background guide, each agenda topic contains a section specific to NGO action. This will provide you with basic information on the general role of NGOs in that topic area. These sections may not specifically address your assigned NGO, but will provide a broad discussion of relevant NGO activities. You should not hesitate to contact the main office of your assigned NGO during the course of your preparations. In addition, you should arrange a mission briefing with the UN Liaison Office in New York City of the NGO you are representing. If you need assistance in arranging this briefing, visit the NMUN Web site at [www.nmun.org](http://www.nmun.org) or contact Tracy Kingsley, Assistant Secretary-General for Internal Affairs at [asg.internal@nmun.org](mailto:asg.internal@nmun.org) or the Director-General, Kevin Grisham at [dirgen@nmun.org](mailto:dirgen@nmun.org).

**Doing Research:** A large portion of your research will likely rely on Internet resources. Because most NGOs do not have expansive budgets that allow for the widespread reproduction and dissemination of their written materials and reports, they choose to publish such documents on their Web sites. If you have difficulty obtaining materials from these electronic sources, please contact your director, assistant director, departmental USG, or the Director General for assistance. The UN Web site, as well as the sites for many of the specialized agencies, also contains valuable information about NGO activity. Finally, do not exclude traditional resources from your preparations. Newspapers, scholarly journals, and books will provide differing perspectives on your agenda topics, and may give interesting insight into the evolving role of NGOs. In particular, there is an increasing amount of sources on the issue of civil society and its role in the UN. It is recommended that this literature be consulted as needed for your preparation.

**Position Papers:** NGO position papers should be constructed in the same fashion as traditional position papers. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned NGO. You should also include recommendations for action to be taken by your committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

The most critical part of a successful NGO delegate experience at the NMUN Conference is active participation in committee sessions. This includes utilizing the rules of procedure, speaking in formal debate and contributing during caucus sessions. Although you may not sponsor working papers or vote on draft resolutions/draft report segments, you have both the right and the obligation to participate in their composition and refinement. You may act as a signatory to any working paper on the floor of your committee if you wish to illustrate your support for continued development of the document. Getting involved in the simulation is the best way to enhance your own educational experience and that of your fellow delegates.

## **The Role of Inter-Governmental Organizations in the Simulation**

IGOs are invaluable resources to the UN because they facilitate the coordination of issues and allow for the UN system to function with more relevant tools for understanding and guiding economic, political, and social policy.

IGOs, along with NGOs, are crucial links between policy-makers and the individuals directly affected by those policies. They represent civil society and its impact on the UN system. There are two primary advantages IGOs have over the UN in terms of information gathering and program implementation. First, IGOs are often regionally based and have better knowledge of the regional conditions, needs, and constraints. Second, the UN depends on the work of IGOs to gain information that its limited time and financial resources do not allow.

IGOs allow Member States to use their organization as a tool to achieve policy objectives and push their own interests and development agendas. Being part of an IGO also helps to develop countries' infrastructure by gaining knowledge and skills from other representatives they interact with. Many IGOs are actual UN subsidiary bodies, while other is independent entities with ties to the UN system. Their decisions are regarded as decisions of the organization and not of individual member countries. IGOs continue to help set and create international rules and policies within the economic, social, and political forums, which help to bridge the divide between regions and individual countries as they aim to help countries help themselves.

### ***IGOs at the National Model United Nations Conference***

Since 2005, IGOs have been invited to participate at the NMUN Conference. (This is separate from the simulation of IGOs as committees at the NMUN Conference which has occurred for many years.) This is part of the Conference's ongoing efforts to improve the educational quality of the simulation by mirroring developments in the UN itself, where IGOs have increasing visibility and respect as a resource for program design and implementation.

IGO delegations maintain all of the privileges accorded to traditional country delegations, and are required to exhibit the same level of preparedness. IGO delegations are eligible for awards, based on the same criteria as country delegations, and may select head delegates to attend the Head Delegate Meetings each night. IGO representatives are also required to submit position papers reflecting the perspectives and priorities of their assigned IGO on the agenda topics at hand.

All delegates should take the role of IGOs seriously. IGO representatives must be fully prepared to participate in all Committee activities, including formal debate, caucusing, and drafting working papers. In turn, Member State delegates must be prepared to engage IGO delegates in these activities. Mutual recognition and respect between IGOs, NGOs, and country delegates is necessary for having a successful Conference experience.

IGO delegates maintain the following privileges in each Committee to which they are assigned:

1. The right to make any procedural motion;
2. The right to vote on all procedural motions;
3. The right to speak before all assigned Committees; and
4. The right to act as a signatory on working papers.

Please note that IGO delegates do not have substantive voting rights, and may not sponsor working papers.

In order to ensure a positive educational experience for all delegates, these rights and privileges may not exactly reflect those granted by ECOSOC. Any alterations made by the Director-General were given due consideration to existing realities and the need to provide a learning environment that encourages active participation.

Country delegates are fully expected to work with IGO delegates in the spirit of collaboration upon which the UN was founded. The exclusion of IGOs from Committee work simply because they do not have substantive voting rights is both unrealistic and unprofessional. In almost all cases, actions denigrating the participation of IGOs will be considered extraordinarily out of character and be noted in awards consideration. IGOs have specialized knowledge on the subject matter at hand as well as important regional perspectives and experiences that could be applied more broadly. The recommendations of IGO delegates maintain the same validity as those of Member States, and it is incumbent upon country delegates to ensure that those perspectives are recognized.

### ***How to Prepare as an IGO Delegation***

As an IGO delegation, your preparation should be structured in the same way as a typical country delegation, but always remembering that you are representatives of a specific organization and what they stand for, not representatives of their individual members' perspectives. The most basic pieces of this process include fundamental knowledge of the organization and the agenda topics. Based on your research, you will decide how your assigned IGO will approach each topic, and the recommendations you will make for potential solutions. This includes identifying blocs of countries, NGOs, and other IGOs that may share the same perspectives and priorities and collaborate with you in Committee sessions.

**NMUN Resources:** In the background guide, each agenda topic contains a specific section on NGO action. While not fully relevant to IGOs, it can be used to provide basic information on the general role of non-country participation in that topic area. You should not hesitate to contact the main office of your assigned IGO during the course of your preparations. In addition, you should arrange a mission briefing with the UN Liaison Office in New York City of the IGO you are representing. If you need assistance in arranging this briefing, visit the NMUN Web site at [www.nmun.org](http://www.nmun.org) or contact Tracy Kingsley, Assistant Secretary-General for Internal Affairs at [asg.internal@nmun.org](mailto:asg.internal@nmun.org) or the Director-General, Kevin Grisham at [dirgen@nmun.org](mailto:dirgen@nmun.org).

**Doing Research:** Most of your research will likely rely on Internet resources. Because most IGOs do not have expansive budgets that allow for the widespread reproduction and dissemination of their written materials and reports, they choose to publish such documents on their Web sites. If you have difficulty obtaining materials from these electronic sources, please contact your Director, Assistant Director, departmental USG, ASG-Internal, or the Director-General for assistance. Finally, do not exclude traditional resources from your preparations. Newspapers, scholarly journals, and books will provide differing perspectives on your agenda topics, and may give interesting insight into the role of IGOs.

As an initial point of reference, listed below are the Web sites for the IGOs being represented at NMUN 2005.

#### Inter-Governmental Organization

African Development Bank  
Asian Development Bank  
Caribbean Community  
Council of Europe  
European Community  
Institute for Media, Peace and Security  
Inter-Parliamentary Union  
League of Arab States  
Non-Aligned Movement  
Pan-American Health Organization  
The Commonwealth  
World Bank

#### Web Site

<http://www.afdb.org>  
<http://www.adb.org>  
<http://caricom.org>  
<http://www.coe.int>  
<http://europa.eu.int>  
<http://www.mediapeace.org>  
<http://www.ipu.org/>  
<http://www.arableagueonline.org>  
<http://www.nam.gov.za>  
<http://www.paho.org>  
<http://www.thecommonwealth.org>  
<http://www.worldbank.org/>

**Position Papers:** IGO position papers should be constructed in the same fashion as traditional position papers. Each topic should be addressed briefly in a succinct policy statement representing the relevant views of your assigned IGO. You should also include recommendations for action to be taken by your Committee. It will be judged using the same criteria as all country position papers, and is held to the same standard of timeliness.

The most critical part of a successful IGO delegate experience at the NMUN Conference is active participation in Committee sessions. This includes utilizing the rules of procedure, speaking in formal debate, and contributing during caucus sessions. Although you may not sponsor working papers or vote on draft resolutions, you have both the right and the obligation to participate in their composition and refinement. You may act as a signatory to any working paper on the floor of your Committee if you wish to illustrate your support for continued development of the document. Getting involved in the simulation is the best way to enhance your own educational experience and that of your fellow delegates.

## **The Roles of State Delegates, Technical Experts & Independent Technical Experts at the 2006 National Model United Nations (NMUN) Conference**

### ***The Variety of Roles That Delegates Simulate at the NMUN Conference***

At the National Model United Nations (NMUN) Conference, delegates assume one of three roles when they participate in committee proceedings. They serve as a delegate representing the national interest of their state (state delegate), a technical expert, or an independent technical expert. At the 2006 NMUN Conference, only the justices of the International Court of Justice will serve in this capacity. Due to independent technical experts only serving in the ICJ, this role will specifically be addressed in the ICJ Background Guide.

The United Nations, particularly the General Assembly, is essentially a political organization. However, there is also a significant role within the system for technical experts in many areas. Because the UN, its subsidiary bodies, related programs, and affiliated organizations speak to such a broad range of issues, experts are often needed to properly address complex problems and make informed recommendations to the General Assembly and Member States. Several ECOSOC committees and almost all of the Specialized Agencies consist of technical experts in the field, as opposed to political representatives. It is critical that delegates representing technical experts understand the complex nature of the expert role.

The following committees at the 2006 NMUN Conference consist of technical experts: *International Law Commission (ILC)*, the *Commission on Science and Technology for Development* and the *Committee on Economic, Social and Cultural Rights (CESCR)*.

### ***Technical Experts within the United Nations System***

The most important distinction between technical experts and political representatives is the relevance of global objectives, as opposed to national priorities. While the political needs and limitations of your individual countries and regions are important, and must be considered in the appropriate context, you are charged with serving as experts in the fields addressed by your respective committees. In other words, the top priority of a technical expert is to assess challenges and propose solutions to relevant issue areas, not to present or promote the political agenda of one particular country.

As you prepare your position papers, please keep in mind your status as technical experts. Instead of traditional, country-specific policy statements, position papers should reflect your expert opinions and recommendations on your committee's topics. This should also be kept in mind when working on documents for the committee during the NMUN Conference in April 2006.



## History of the United Nations Committee on Economic, Social and Cultural Rights

### *History of Economic, Social and Cultural Rights*

International law regarding human rights was created immediately after World War II in response to atrocities committed by states against civilians.<sup>1</sup> Human rights laws created an unprecedented time change in international relations, as states became legally bound to individuals and were required to ensure certain rights.<sup>2</sup> The founding document of international human rights law was the *Universal Declaration of Human Rights* (UDHR), unanimously ratified by the UN General Assembly in 1948.<sup>3</sup> The *Universal Declaration* established the fundamental vision and principles of the new human rights regime by recognizing the interdependence and indivisibility of all human rights.

Over the past 50 years, Economic, Social and Cultural Rights (ESCR) were elaborated through a wide range of international treaties, laws, and principles despite being neglected in practice. It is critical to understand that ESCR is not just a committee but also a set of principals that have been incorporated, and should be incorporated, not solely through the CESCR but through every committee of the United Nations. Of primary importance to the implementation of economic, social and cultural rights is the 1967 *International Covenant on Economic, Social and Cultural Rights* (the *Covenant*), which has been ratified by 151 states to date.<sup>4</sup> ESCR have been recognized in all major international treaties protecting the human rights of vulnerable groups, such as the *Convention on the Rights of the Child* (1989), the *Convention on the Elimination All Forms of Discrimination Against Women* (1981), and the *Convention on the Elimination of All Forms of Racial Discrimination* (1969).<sup>5</sup>

### *The Committee on Economic, Social and Cultural Rights*

The Committee on Economic, Social and Cultural Rights (CESCR) is made up of independent experts from different countries.<sup>6</sup> They are appointed to monitor the implementation of the *International Covenant on Economic, Social, and Cultural Rights*.<sup>7</sup> CESCR was established by ECOSOC with resolution 1985/17 on 28 May 1985 to carry out monitoring functions.<sup>8</sup> CESCR still reports to ECOSOC.<sup>9</sup> CESCR requires that all State parties submit reports to the committee on the implementation of human rights. When Member States decide that they are committed to the goals of CESCR they accept the *Covenant*.<sup>10</sup> At this time they begin a process of reporting to the committee, which monitors their progress in the field of ESCR.<sup>11</sup> The timeline of Member States reporting starts with a two-year report after signing the *Covenant* followed by a report every five years.<sup>12</sup> The Committee examines each report and addresses its concerns and recommendations to the State party in the form of “concluding observations”.<sup>13</sup> Currently there is no method to hear individual complaints, only country reports.

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<sup>1</sup> No Author. (2005). *The international system of human rights*. Retrieved July 10, 2005, from [http://www.aidh.org/uni/Formation/02LesPactes\\_a.htm](http://www.aidh.org/uni/Formation/02LesPactes_a.htm)

<sup>2</sup> *Ibid.*

<sup>3</sup> United Nations General Assembly. (1948, December 10). *Universal Declaration of Human Rights*. (A/RES/810). Retrieved July 10, 2005, from <http://www.un.org/Overview/rights.html>

<sup>4</sup> United Nations General Assembly. (1976, January 3). *International Covenant on Economic, Social and Cultural Rights*, (A/RES/2200). Retrieved July 10, 2005, from [http://www.unhchr.ch/html/menu3/b/a\\_cescr.htm](http://www.unhchr.ch/html/menu3/b/a_cescr.htm)

<sup>5</sup> United Nations General Assembly. (1989, November 20). *Convention on the Rights of the Child*, (A/RES/44/736). Retrieved July 10, 2005, from <http://www.unhchr.ch/html/menu3/b/k2crc.htm>; United Nations General Assembly. (1981, September 3). *Convention on the Elimination of All Forms of Discrimination Against Women*. (A/RES/34/180). Retrieved July 10, 2005, from <http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>; United Nations General Assembly. (1969, January 4). *Convention for the Elimination of All Forms of Racial Discrimination*, (A/RES/2106). Retrieved July 10, 2005, from [http://www.unhchr.ch/html/menu3/b/d\\_icerd.htm](http://www.unhchr.ch/html/menu3/b/d_icerd.htm)

<sup>6</sup> Office of the United Nations High Commissioner for Human Rights. (2005). *Monitoring economic, social, and cultural rights*. Retrieved July 5, 2005, from <http://www.ohchr.org/english/bodies/cescr/>

<sup>7</sup> United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, *supra*, note 4.

<sup>8</sup> No Author, *The international system of human rights*, *supra*, note 1.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

The *International Covenant on Economic, Social and Cultural Rights* entered into force on July 3, 1976.<sup>14</sup> There are 66 signatories and 151 parties to the covenant.<sup>15</sup> Like its counterpart covenant on civil and political rights, it represented a means of transforming the provisions contained in the *Universal Declaration of Human Rights* into legally binding obligations.<sup>16</sup> Ratifying countries are required to translate the covenants provisions into domestic law and submit periodic reports about their progress.<sup>17</sup> States that ratified it obligated themselves to respect and implement a long list of rights provisions. These included: the right to self-determination; the right to work; the right to safe and healthy working conditions; the right to unionize; the right to strike; the right to social security and social insurance; the right of special protection for pregnant women, recent mothers, and children from economic exploitation; the right to adequate food, clothing, and housing; and even the right to attain a high standard of physical and mental health.<sup>18</sup> Furthermore, the covenant listed specific activities that ratifying states must undertake as a means of safeguarding these rights.<sup>19</sup> For example, countries bound by the Covenant's terms are obligated to provide vocational and technical training programs as a way of insuring the right to work, and must report to the UN's Economic and Social Council about their progress periodically.<sup>20</sup>

The Committee meets in Geneva and normally holds two sessions per year, consisting of a three-week plenary and a one-week pre-session working group.<sup>21</sup> The Committee also publishes its interpretation of the provisions of the Covenant, known as general comments.<sup>22</sup>

The Member States of the 2006 NMUN Committee on Economic, Social and Cultural Rights are:

Algeria	Ecuador	Mauritius
Belarus	Egypt	Philippines
Cameroon	France	Poland
China	Germany	Portugal
Colombia	India	Russian Federation
Costa Rica	Jordan	Switzerland

### ***Civil Society***

CESCR has realized the importance of civil society and included ways for civil society to best work within the means of the committee.<sup>23</sup> Civil society is one of the best means to gather information on the status of the Covenant within Member States. CESCR was the first body to provide non-governmental organizations (NGOs) with the chance to submit written statements and make speeches addressing the specific issues on the floor and enjoy the rights of non-voting members in the committee room.<sup>24</sup>

During the sessions of CESCR civil society is given an afternoon to express their views about how the Covenant is or isn't being implemented in Member States.<sup>25</sup> NGOs are allowed to give speeches so long as their information focuses specifically on the Covenant and is relevant to the Committee at the time.<sup>26</sup> Recently NGOs and civil society have taken advantage of this arrangement and provide the Committee with material that assists the

<sup>14</sup> Office of the United Nations High Commissioner for Human Rights. (2005). *The international covenant on economic, social, and cultural rights*. Retrieved July 10, 2005, from <http://www.ohchr.org/english/countries/ratification/3.htm>

<sup>15</sup> *Ibid.*

<sup>16</sup> No Author, *The international system of human rights, supra*, note 1.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Office of the United Nations High Commissioner for Human Rights. (n.d.). *Fact sheet number 16: Section 7 civil society and the work of the committee*. Retrieved July 10, 2005, from <http://www.ohchr.org/english/about/publications/docs/fs16.htm#7>

<sup>26</sup> *Ibid.*

committee functioning.<sup>27</sup> The Committee has indicated that the purposes of the NGO procedures are to enable it to inform itself as fully as possible, to examine the accuracy and pertinence of information, which would most probably be available to it anyway, and to put the process of receiving NGO information on a more transparent basis.<sup>28</sup>

The NGOs that will be represented at the 2006 NMUN Committee on Economic, Social, and Cultural Rights are:

Amnesty International	HOPE Worldwide	Socialist International
Concern Worldwide	Human Rights Watch	Women's Environment and Development Organization
Global Fund for Women	Islamic Relief	World Vision Canada

### ***Simulation***

For the purposes of this simulation, three topics will be considered. Delegates will represent their expert's specialty along with their countries point of view. This method will ensure the most accurate simulation possible.

At the beginning of each topic and right before voting NGOs will be given 1 minute each to present relevant information to the topic. In this time they should present what their opinion is on the topic and what the future holds. At this time NGOs will have the opportunity to put out ideas as to how to best address the issues and what focus there should be in the committee. There is always the option to forgo this if an NGO doesn't wish to speak to an issue. NGOs will still have the opportunity to be added to the speakers list after their opening speech. NGOs will still not have voting rights on substantive matters but will work closely with Member States to ensure that the Covenant is being carried out in the best possible manner.

## **I. Protection of the Rights of Migrant Workers**

*It is time to take a more comprehensive look at the various dimensions of the migration issue, which now involves hundreds of millions of people and affects countries of origin, transit and destination. We need to understand better the causes of international flows of people and their complex interrelationship with development.*<sup>29</sup>

### ***Introduction***

World population is defined as a result of net migration, the number of people entering a geographic area (immigrants) and those leaving a geographic area (emigrants).<sup>30</sup> As of May 2005 it is believed that between 145 and 175 million people are living outside their native country.<sup>31</sup> Approximately 86 million of these are migrant workers and the number is growing every year.<sup>32</sup> As research and study on migrants increases, it is found that more and more women are migrants and with this finding come added problems and complications with migration.<sup>33</sup> There are many reasons that people migrate but poverty, famine, repression or war are their main reasons.<sup>34</sup> For many families, the key to a decent life is migration. There are two main types of migration. The most common is *voluntary*. Voluntary migration happens when people decide to leave their homes to work in other countries due to

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<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO). (2004). *Information kit on the United Nations convention on migrants rights*. Retrieved July 1, 2005, from [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=3448&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=3448&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>30</sup> Population Reference Bureau. (2005). *Effects of Migration on Population Growth*. Retrieved July 2, 2005, from [http://www.prb.org/Content/NavigationMenu/PRB/Educators/Human\\_Population/Migration2/Migration1.htm](http://www.prb.org/Content/NavigationMenu/PRB/Educators/Human_Population/Migration2/Migration1.htm)

<sup>31</sup> Global Union Research Network. (2005). *Topic – Migration*. Retrieved July 2, 2005, from <http://www.gurn.info/topic/migrant/index.html>

<sup>32</sup> Satterthwaite, Margaret. (2004). Women migrant's rights under international human rights law. *Feminist Review*, 77, 167-171.

<sup>33</sup> *Ibid.*

<sup>34</sup> United Nations General Assembly. (December 8, 1990). *International convention on the protection of the rights of all migrant workers and members of their families*. (A/RES/45/158). New York, NY: Author.

economic reasons or personal hardships.<sup>35</sup> Voluntary migration is often work related.<sup>36</sup> The second most common type of migration is *forced*.<sup>37</sup> Forced migration occurs when people are fleeing their homes because of civil unrest and war or are searching for adequate land or employment for the survival of their family.<sup>38</sup>

Migrant workers are the most common type of voluntary migration.<sup>39</sup> In the 1960s and 1970s migrants were often recruited from other countries for agricultural work or to fill short-term labor shortages.<sup>40</sup> Even after labor recruitment ended, labor migration continued. Today, labor migration is much more complex. There are several different types of migrant labor, some legal and some unauthorized.<sup>41</sup> Some of the migrant workers that migrate through unauthorized channels are victims of trafficking. This group of migrant workers is unique in many aspects. Trafficking in people is worth US\$7 billion a year to networks that make their fortunes from the world's most vulnerable people.<sup>42</sup> Women and children are particularly subject to violence and ill-treatment.<sup>43</sup> The migrants' irregular situation leaves them vulnerable to various kinds of abuse, discrimination, and exploitation, both during transit and in the countries of destination.<sup>44</sup>

### ***Workers rights***

Many migrant workers are vulnerable to human rights abuses including restrictions to their freedom of movement, arbitrary detention, discrimination, harassment, and physical or sexual violence.<sup>45</sup> In Thailand, for example, migrant workers are routinely paid far less than the Thai minimum wage and work in inhumane conditions.<sup>46</sup> Those demanding labor rights are often arrested and deported as a means of punishment.<sup>47</sup> In the Gulf states, female migrant domestic workers are excluded from the protection of labor laws and are at risk of being subjected to rape or other sexual violence by their employers.<sup>48</sup> Rape victims do not normally obtain justice and are often not given access to legal advice and adequate interpretation.<sup>49</sup> A climate of impunity exists that allows perpetrators of crimes against migrant domestic workers to go unpunished.<sup>50</sup>

The most recent convention regarding migrant workers is the *United Nations' International Convention on the Protection of the Rights of All Migrant Workers and Their Families* (ICMW) (1990).<sup>51</sup> The ICMW, in addition to laying out a comprehensive list of rights for migrant workers and their family members, sets guidelines for the promotion of legal and humane migration channels.<sup>52</sup> The ICMW was passed unanimously in a 1990 session of the

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<sup>35</sup> *Ibid.*

<sup>36</sup> Martin, Susan F. (2001). Global migration trends and asylum. *The Journal of Humanitarian Assistance*, 41. Retrieved July 2, 2005, from <http://www.jha.ac/articles/u041.htm>

<sup>37</sup> Morris, Lydia. (2003). Managing contradiction: Civic stratification and migrants' rights. *International migration review*, 37(1), 74-101.

<sup>38</sup> *Ibid.*

<sup>39</sup> Martin, *supra*, note 34.

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

<sup>42</sup> Jacobsen, J.P. (2005). The Global Political Economy of Sex: Desire, Violence, and Insecurity in Mediterranean Nation States. *Choice*, 42(9), 1673-1675.

<sup>43</sup> *Ibid.*

<sup>44</sup> International Organization for Migration. (2001). *Trafficking in migrants: IOM policy and responses*. Retrieved July 1, 2005, from [http://www.iom.int/en/who/main\\_policies\\_trafficking.shtml](http://www.iom.int/en/who/main_policies_trafficking.shtml)

<sup>45</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), *Information kit on the United Nations convention on migrants rights supra*, note 29.

<sup>46</sup> Satterthwaite, *supra*, note 32.

<sup>47</sup> *Ibid.*

<sup>48</sup> Jacobsen, *supra*, note 42.

<sup>49</sup> *Ibid.*

<sup>50</sup> *Ibid.*

<sup>51</sup> United Nations General Assembly, *International convention on the protection of the rights of all migrant workers and members of their families, supra*, note 34.

<sup>52</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO). (2004). *International Migration Convention*. Retrieved July 2, 2005, from [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=1513&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=1513&URL_DO=DO_TOPIC&URL_SECTION=201.html)

UN General Assembly, opening it to ratification.<sup>53</sup> By signing the ICMW, countries agree to a monitoring and reporting process once it enters into force. The ICMW received the 20 ratifications necessary for entry into force in 2003, 13 years after its passage by the General Assembly.<sup>54</sup>

While all of the conventions relating to migrant workers appear encompassing, they are missing important pieces of information due to changes in the environment since their inception.<sup>55</sup> These changes include:

- The decreasing significance of the state in recruiting migrant labor and the increasing importance of private agents and intermediaries;
- The feminization of migrant labor with women migrant workers predominant in the sex sector and domestic work — areas characterized by a strong bond of subordination between the employer and employee, and usually beyond the protection of labor law;
- The increasing short-term nature of labor migration; and
- The considerable growth in irregular migration and the need for states to balance control measures with measures that facilitate labor migration and protect migrant workers.<sup>56</sup>

These shortcomings need to be further evaluated and examined in order to make stronger conventions that can then be enforced.

### ***Millennium Development Goals and migrant workers***

Migration does not seem to be a prominent issue in the Millennium Development Goals (MDGs) at first glance. However, since migration is such a broad reaching topic, it overlaps with many MDGs. There has not been much research to date on how migration and development impact each other, but many researchers hypothesize that there is a strong relationship between the two.<sup>57</sup> As stated in the International Organization for Migration's (IOM) recent report:

There is a noticeable gap in research and analysis on how migration is linked to attaining the Millennium Development Goals. However as the available evidence shows, there is clearly no simple cause and effect relationship between migration and the achievement of the MDGs. Migration may have a direct and positive influence on the achievement of the MDGs, however it can equally constitute a challenge, which needs to be addressed in order to move further towards their attainment.<sup>58</sup>

In the Task Force 8 report on *Improving the Lives of Slum Dwellers*, migration is described as a phenomenon that needs to be understood in order to achieve the MDG targets in this regard.<sup>59</sup> Some of the more recent Task Force reports of the UN Millennium Project do contain references to migration with respect to the specific issue areas they address.<sup>60</sup> Some highlight the relevance of taking into account migration-related questions, such as the report of the Task Force on Trade and Development, which stresses the importance of a multilateral trading system, leading, inter alia, to a further liberalization of services, including the temporary movement of people.<sup>61</sup>

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<sup>53</sup> United Nations General Assembly, *International convention on the protection of the rights of all migrant workers and members of their families*, *supra*, note 34.

<sup>54</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), *International Migration Convention*, *supra*, note 52.

<sup>55</sup> Such as the *United Nation's International Convention on the Protection of the Rights of All Migrant Workers and Their Families (ICMW)* (1990), *ILO's Migration for Employment Convention* (1949), *ILO's Migrant Workers (Supplementary Provisions) Convention* (1975).

<sup>56</sup> Cholewinski, Ryszard. (2005). *Protecting migrant workers in a globalized world*. Migration Information Source. Retrieved July 1, 2005, from <http://www.migrationinformation.org/Feature/display.cfm?id=293>

<sup>57</sup> Usher, Erica. (2005). Millennium Development Goals and Migration. *International Organization for Migration*, 20.

<sup>58</sup> *Ibid.*

<sup>59</sup> MillenniumProject. (2004). *Interim report of the task force 8 on improving the lives of slum dwellers*. Retrieved July 7, 2005, from <http://www.unmillenniumproject.org/documents/tf8interim%20execsum.pdf>

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

In those areas where migration can be identified as a challenge to achieving the MDGs, the international community needs to develop migration management strategies in order to address the negative effect of migration on attaining the goals.<sup>62</sup> Simultaneously, governments, development agencies, and international organization should develop strategies to enhance the positive impact of migration on the achievement of the MDGs.<sup>63</sup> Above all, the complex relationship between migration and the MDGs must be explored further. Migration, as is increasingly recognized, cannot be excluded from development agendas but must be incorporated in all development policies and programs.

### ***Integration of migrant workers into the work force***

While international migration can be a productive experience for most people, many migrant workers suffer poor working and living conditions.<sup>64</sup> Their terms of employment may be better than in their home countries, but they often face conditions far inferior to those available to nationals in host countries.<sup>65</sup> Despite international standards to protect them their rights as workers are too often undermined, especially if they are unauthorized.<sup>66</sup> The challenge confronting the global community is to manage migration so that it can serve as a force for growth and development, and not lead to clandestine movements and the dangers these pose for established institutions and the respect of labor standards.<sup>67</sup> Many initiatives to develop global regulations for migrant workers have been attempted since the 1970s however none have been agreed upon.

At the 1994 International Conference on Population Development (ICPD) in Cairo, Egypt, a discussion on migration regulations was held. A *Program of Action* was adopted that calls upon origin and destination States to work together to protect the rights of migrants, reduce irregular migration, and combat racism.<sup>68</sup> This raised hopes that an agreement of regulations was in sight, but little progress has been made since. Problems with social integration in destination States suggest that much more research and understanding are needed of the new phenomenon of migration.<sup>69</sup> As a follow-up to the ICPD, a Technical Symposium on Migration and Development was organized in 1998 at the Hague, and later echoed by similar technical meetings at regional levels organized by the United Nations Economic and Social Commissions for Latin America, Africa, and Asia.<sup>70</sup> The General Agreement on Trade and Services (GATS) addresses temporary movement of migrant workers.<sup>71</sup> However, GATS does not provide a means to help people cross borders while searching for employment.<sup>72</sup>

### ***White collar migration workers***

At the other end of the spectrum are millions of professional workers who travel to other countries in search of higher wages or greater opportunities. The majority of migrant professionals – three out of four – move from one developed country to another, especially across the Atlantic, while many of the rest move between the more successful newly industrializing countries in East Asia, among the countries of Central and Eastern Europe, as well as between countries in South America.<sup>73</sup> A significant number also migrate to poorer countries, often accompanying foreign investment, thus helping to accelerate economic development.

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<sup>62</sup> No Author. (2003). *Fact Sheet: From aspiration to action. World economic forum global governance initiative*. Retrieved August 20, 2005, from [http://www.weforum.org/pdf/Initiatives/ggi\\_factsheet.pdf](http://www.weforum.org/pdf/Initiatives/ggi_factsheet.pdf)

<sup>63</sup> Usher, *supra*, note 57.

<sup>64</sup> Papademetriou, Demetrios G. (2004, July). Effective Practices for the Selection of Economic Migrants. *Migration Research Group*.

<sup>65</sup> *Ibid.*

<sup>66</sup> *Ibid.*

<sup>67</sup> Ray, Brian. (2004, July). Practices to promote the integration of migrants into the labor markets. *The Migrant Research Group*, 1(1), p. 1.

<sup>68</sup> International Conference on Population Development. (1994). *Report of the International Conference on Population Development*. Cairo, Egypt: Author. p. 1.

<sup>69</sup> *Ibid.*

<sup>70</sup> Technical Symposium on International Migration and Development. (1998). *Executive summary: Technical summary on international migration and development*. Retrieved July 7, 2005, from [http://www.unfpa.org/icpd5/meetings/hague\\_migra/migration.htm](http://www.unfpa.org/icpd5/meetings/hague_migra/migration.htm)

<sup>71</sup> Dommen, Caroline. (2005). Migrants' human rights: Could GATS help? *Migration Information Source*. Retrieved August 7, 2005 from <http://www.migrationinformation.org/Feature/display.cfm?id=290>

<sup>72</sup> *Ibid.*

<sup>73</sup> Williams, Allan, & Balaz, Vladimir. (2005). What Human Capital, Which Migrants? Returned Skilled Migration to Slovakia from the UK. *The International Migration Review*, 39(2), 439-469.

Most countries welcome the arrival of professionals from other countries. Australia and Canada, for example, have points systems that make it easier for professionals from developing countries to enter as immigrants.<sup>74</sup> The United States also makes it relatively easy for professionals to immigrate or to enter with temporary visas if a United States employer requests them. During the 1990s, many developed countries recruited foreign health professionals, consequently nearly one-third of doctors and 13 per cent of nurses in the United Kingdom are foreign born.<sup>75</sup>

Professionals move for many reasons, including higher wages, better facilities, and more opportunities for advancement.<sup>76</sup> Receiving States also promote professional immigration through recruitment drives and selection systems that facilitate their entry. These selection systems are effective in attracting the best and brightest from developing countries, so that immigrants to the United States in 1990 from many developing countries had twice as much education as their compatriots at home.<sup>77</sup> The IOM has estimated that, for 40 per cent of African countries, at least one-third of college graduates are living abroad.<sup>78</sup>

Brain drain, skilled workers leaving their countries to pursue better lives, is thought to slow development.<sup>79</sup> For example, the emigration of African doctors and nurses leads to poorer health care in Africa at a time when there is a greater need for it because of HIV/AIDS and recent initiatives to improve immunization rates.<sup>80</sup> Emigration especially leaves rural areas with few health care staff, increases the workload on remaining staff, and may slow improvement in the health-care system.<sup>81</sup> Interestingly, it is estimated there are now at least 400,000 scientists and engineers from developing countries working in industrial nations compared with approximately 1.2 million still at home.<sup>82</sup>

Despite this information, the brain drain is not necessarily a damaging loss.<sup>83</sup> International Labor Organization (ILO) research on skilled emigration has shown that the net impact of skilled emigration from developing countries is a balance of direct and indirect effects.<sup>84</sup> The most direct effect of skilled emigration is a reduction of human capital stock, which is critical to productivity and economic growth, but it also sets in play a number of forces that can promote economic growth through major feedback effects.<sup>85</sup> Returning migrants, in particular, bring back their skills and work experience from abroad, thus boosting productivity.<sup>86</sup> The promise of higher incomes through migration may itself encourage more investment in education, public and private, than might otherwise have been the case.<sup>87</sup> Expatriates who remain abroad contribute funds via remittances. They also transfer knowledge, technology, and investments to countries of origin, which boost productivity and economic development.<sup>88</sup>

### ***Feminization of migrant workers***

Women account for an increasing proportion of international migrants – from 47 per cent in 1960 to 49 per cent in 2000 – reflecting the rising importance of family unification, especially in more-developed countries.<sup>89</sup> However,

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<sup>74</sup> Dassin, Joan. (2005). Brain gain, not drain. *International Educator*, 14(3), 20-26.

<sup>75</sup> Walker, D. (2001, January). Statistics show immigration beneficial to economy. *The Guardian*. Retrieved August 7, 2005, from <http://society.guardian.co.uk/asylumseekers/story/0,7991,430329,00.html>

<sup>76</sup> Williams & Balaz, *supra*, note 73.

<sup>77</sup> *Ibid.*

<sup>78</sup> Mutume, Gumisai. (2003). Revising Africa's brain drain: New initiatives tap skills of African expatriates. *Africa Recovery*, 17(2), 1.

<sup>79</sup> *Ibid.*

<sup>80</sup> *Ibid.*

<sup>81</sup> Wolffers, Ivan, Verghis, Sharuna, & Malu, Marin. (2003). Migration, Human Rights, and Health. *The Lancet*, 362 (9400), 2019.

<sup>82</sup> Meyer, J.B. & Brown, M. (1999, June-July). *Scientific Diasporas: A new approach to the brain drain* (Discussion Paper No. 41 prepared for the World Conference on Science). Budapest, Hungary: UNESCO-ICSU.

<sup>83</sup> Lowell, Brian L. & Findlay, A. M. (2002). Migration of highly skilled persons from developing countries: Impact and policy responses – Synthesis report. *International Migration Paper*, 1(1).

<sup>84</sup> Wolffers, Verghis, & Malu, *supra*, note 81.

<sup>85</sup> Meyer & Brown, *supra*, note 82.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

<sup>88</sup> *Ibid.*

<sup>89</sup> Satterthwaite, *supra*, note 32.

more women are traveling on their own as their family's primary income earner, a consequence of a number of social and economic changes.<sup>90</sup> In the more developed destination countries, populations are ageing, which increases the demand for health workers.<sup>91</sup> Another contributing factor is raising prosperity: in some of the faster growing developing countries, such as Malaysia and Chile, as families become wealthier they begin to employ foreign domestic help.<sup>92</sup>

At the same time there has been a general feminization of the workforce, particularly in labor-intensive manufacturing industries and in many services.<sup>93</sup> Thus, garments manufacturers in the industrialized countries may employ women migrants directly to take the place of local workers who move on to better jobs. This feminization of migrant workers is most evident in Asia, where hundreds of thousands of women emigrate each year in both unskilled and skilled professions – the majority in domestic service and entertainment and, to a lesser extent, in nursing and teaching.<sup>94</sup>

### **Conclusion**

Since the colonial period, migrant labor has played an important role in the expansion of the economy. Chinese and Indian immigrants, for example, were crucial in the tin mining and rubber planting industries, respectively.<sup>95</sup> Yet, numerous shortcomings and gaps in the existing, international legal framework mean that many migrant workers lack the protection they need. Major human rights organizations, including Amnesty International and Human Rights Watch, have begun to voice their concerns about the treatment of migrant workers, and they have helped put a spotlight on migrant worker issues.<sup>96</sup> Questions to consider: What impact do migrants have on the economies of both their country of origin and destination country? What further ways can the implementation of international laws be enforced regarding migrant workers? How can migrant workers basic human rights be enforced in host countries? What is your countries point of view on brain drain?

## **II. Understanding the Effects of Economic Sanctions on a Disadvantaged Population**

*Sanctions remain a blunt instrument, which hurt large numbers of people who are not their primary targets.*<sup>97</sup>

### **Introduction**

There are five different types of economic sanctions, four of which are authorized by the United Nations. Of the four authorized by the United Nations, they can either be carried out unilaterally or multi-laterally.<sup>98</sup> Interestingly, the term *sanction* is never used in the *United Nations Charter*.<sup>99</sup> Instead, the *Charter* of the United Nations authorizes certain forms of sanctions depending on the seriousness of the offending nation. The first of these is an embargo. This is referred to in Article 41 of the *Charter*.<sup>100</sup> Embargo refers to a state authority, or many states,

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<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*

<sup>93</sup> *Ibid.*

<sup>94</sup> Ratha, D. (2003). Workers' remittances: An important and stable source of external development finance. *Global Development Finance*.

<sup>95</sup> *Ibid.*

<sup>96</sup> Amnesty International. (2004, December). Protecting migrant workers rights. *The Wire*. Retrieved August 7, 2005, from [http://web.amnesty.org/wire/December2004/migrant\\_workers](http://web.amnesty.org/wire/December2004/migrant_workers); Human Rights Watch. (2003, July). Migrant workers need protection. Retrieved August 7, 2005, from <http://www.hrw.org/press/2003/06/mwc063003.htm>

<sup>97</sup> Annan, Kofi. (2000). *Secretary General reviews lessons learned during the 'sanction decade' in remarks to international peace academy seminar*. Retrieved August 20, 2005, from <http://www.un.org/News/Press/docs/2000/20000417.sgsm7360.doc.html>

<sup>98</sup> No Author. (1991). Sanctions and their effect on employment in South Africa. *International Labor Review*, 130(5), p. 657-672.

<sup>99</sup> United Nations. (1945). *United Nations Charter*. Retrieved July 12, 2005, from <http://www.un.org/aboutun/charter/>, Article 41.

<sup>100</sup> *Ibid.*



limiting, interrupting or terminating another country's economic activity.<sup>101</sup> As in the case of South Africa, a multilateral embargo was placed on the country from 1977-1994 to help persuade the government to change its objectionable policies under certain circumstances.<sup>102</sup> The second UN authorized method of sanction is exclusion. Exclusion is explained in Article 19 of the *United Nations Charter*, which says that Member States that do not contribute to the United Nations "shall not vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years."<sup>103</sup> The third form of sanctions is the suspension of membership at the United Nations. This is presented in Article 5 of the *United Nations Charter*.<sup>104</sup> In this, Member States have their privileges suspended in the General Assembly.<sup>105</sup> Expulsion is the fourth form of sanctions. This is when a Member State withdraws from the United Nations.<sup>106</sup> Military force is the final UN authorized mechanism. Article 2 of the Charter of the United Nations declares, "[a]ll Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."<sup>107</sup> This article means that Member States should attempt every means possible to solve matters peacefully instead of armed conflict. Trade barriers are the fifth means, although they are not mentioned in the *United Nations Charter*. The Association of Manufacturers (1997) produced a study that listed over 30 countries experiencing new US sanctions during the period of 1993-1996, and this is just one example of unilateral sanctions.<sup>108</sup>

### ***What happens to the disadvantaged?***

There is the moral argument against sanctions, that the cost of life, liberty, and property is too high.<sup>109</sup> As sanctions have proliferated, their use has come under intense challenge from various sources. The reasons that sanctions are challenged are different but all fall into three basic categories. One group that opposes sanctions challenges that sanctions achieve the purpose they are intended for.<sup>110</sup> Advocates of sanctions believe that sanctions imposed to persuade or force regimes into changing their conduct or policy.<sup>111</sup> Another group believes that while the desired change may be reached, the cost is too high.<sup>112</sup> The view is that economic sanctions deprive citizens of many of their basic human rights and there is disruption in the progression of the nation.<sup>113</sup> During sanctions there are many disruptions in life from a restriction of food to medicine to health care. There is an argument made that trade embargos and sanctions encompass much more than restrictions on the availability of medicine.<sup>114</sup> Case studies also show that mothers and children are not necessarily the only vulnerable group but are disproportionately affected by the restrictions on the aforementioned items.<sup>115</sup> The final group is critical of sanctions not because of their limitations but because of the selective way they are applied.<sup>116</sup> According to former Secretary General of the United Nations, Boutros Boutros-Ghali, "the purpose of [Security Council sponsored] sanctions is to modify the behavior of a party that is threatening international peace and security not to punish or otherwise exact retribution."<sup>117</sup> There are a plethora of human rights that can be violated by economic embargos.<sup>118</sup>

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<sup>101</sup> No Author, Sanctions and their effect on employment in South Africa, *supra*, note 98.

<sup>102</sup> *Ibid.*

<sup>103</sup> United Nations, *United Nations Charter*, *supra*, note 99, Article 19.

<sup>104</sup> *Ibid.*, Article 5.

<sup>105</sup> *Ibid.*

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*, Article 2.

<sup>108</sup> Association of Manufacturers. (2005). *Sanction Reform*. Retrieved July 11, 2005, from [http://www.nam.org/s\\_nam/sec.asp?CID=473&DID=471](http://www.nam.org/s_nam/sec.asp?CID=473&DID=471)

<sup>109</sup> Addis, Adeno. (2003). Economic Sanctions and the Problem of Evil. *Human Rights Quarterly*, 25(3), p. 573-625.

<sup>110</sup> *Ibid.*

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.*

<sup>114</sup> Garfield, Richard. (1999). The impact of economic sanctions on health and well-being. *Relief and Rehabilitation Network*, 31.

<sup>115</sup> *Ibid.*

<sup>116</sup> *Ibid.*

<sup>117</sup> Boutros-Ghali, Boutros. (1995). *An agenda for peace 1995*. New York, NY: United Nations Publishing, p. 25.

<sup>118</sup> The right to life: *Universal Declaration of Human Rights* (UDHR) Article 3; *International Covenant on Civil and Political Rights* (ICCPR) Article 6; Right to livery and Security of person: UDHR Article 3, ICCPR Article 9; Right to adequate food and to be free from hunger: UDHR Article 25, *International Covenant on Economic, Social and Cultural Rights* (ICESCR) Article 11. Right to education: UDHR Article 25, ICESCR Article 11.

Kofi Annan stated that “when robust and comprehensive economic sanctions are directed against authoritarian regimes, a different problem is encountered. Then it is usually the people who suffer, not the political elites whose behavior triggered the sanctions in the first place.”<sup>119</sup> Not only do ordinary citizens often have no influence over regimes in target states, but at times, the severity of these sanctions force citizen to rally behind the regimes.<sup>120</sup> Sometimes the regimes convey that the sanctioning states care very little about the citizens and are prepared to sacrifice them to achieve their foreign policy goals, which can unify the targeted population against foreign powers.<sup>121</sup>

### ***Case Study: Economic Sanctions in Iraq***

On August 6, 1990, four days after Iraq's invasion of Kuwait, the Security Council passed Resolution 661, imposing comprehensive sanctions on Iraq and establishing a committee to monitor them.<sup>122</sup> The sanctions on Iraq were the strongest, most salient UN embargo action ever imposed against a state.<sup>123</sup> Since 1990, the Security Council has been persistently seized with adapting sanctions to changing circumstances in Iraq and has adopted no less than sixty-five legally binding resolutions.<sup>124</sup> Of all United Nations sanction operations, the one imposed against Iraq proved to be the most economically devastating to the target society.<sup>125</sup> In the mid-1990s, as political support for Iraq sanctions declined, the Security Council decided to revise its earlier plan on humanitarian trade, proposing that Iraq export oil on a controlled basis and use the revenues, under UN supervision, to buy humanitarian supplies.<sup>126</sup> The Council passed Resolution 986 on April 12, 1995, with a restrictive cap on oil sales.<sup>127</sup> The government of Iraq, facing an increasingly serious economic crisis, agreed to the Council's conditions a year later. Though Oil-for-Food brought undoubted short-term benefits to a desperate population, it never eliminated the humanitarian crisis.

Due to mounting international pressure against sanctions, new strategies were devised. The Security Council began to use ‘smart sanctions.’<sup>128</sup> These *smart sanctions* targeted military-related facets of the regime itself, instead of Iraq's economy at large.<sup>129</sup> The intent was to spare the general population from economic disaster but target the Iraqi leadership. Due to the exclusion of targeted sanctions against the leadership, the proposal did not pass. In June 2001, the Security Council did not adopt the British-American proposal for implemented *smart sanctions*.<sup>130</sup> The first proposal did not propose targeting the leadership regime but proposed streamlining imports combined with rigorous border control.<sup>131</sup> After September 11, 2001, a new phase of sanctions were imposed in Iraq due to a greater unity of Permanent Members on the Security Council to fight terrorism and related issues.<sup>132</sup> The new sanction regime started in May 2002 with SC Resolution 1409.<sup>133</sup> This resolution lifted restrictions on shipping civilian goods to Iraq.<sup>134</sup>

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<sup>119</sup> Garfield, *supra*, note 114.

<sup>120</sup> Addis, *supra*, note 109.

<sup>121</sup> *Ibid.*

<sup>122</sup> *Ibid.*

<sup>123</sup> Joyner, Christopher C. (2003). United Nations Sanctions after Iraq: Looking Back to See Ahead. *Chicago Journal of International Law*, 4(2), p. 329.

<sup>124</sup> *Ibid.*

<sup>125</sup> *Ibid.*

<sup>126</sup> United Nations Security Council. (1995, April 14). *Permit the import of petroleum and petroleum products originating in Iraq, as a temporary measure to provide for humanitarian needs of the Iraqi people.* (S/RES/986). New York, NY: Author.

<sup>127</sup> *Ibid.*

<sup>128</sup> *Ibid.*

<sup>129</sup> Wagner, Alex. (2002). Security Council moves closer to adopting Iraqi “smart sanctions”. *Arms Control Today*, 32(1), p. 36-37.

<sup>130</sup> *Ibid.*

<sup>131</sup> *Ibid.*

<sup>132</sup> Global Policy Forum. (n.d.). *Iraq sanctions: Humanitarian implications and options for the future.* Retrieved August 20, 2005, from <http://www.globalpolicy.org/security/sanction/iraq1/2002/paper.htm#6>

<sup>133</sup> United Nations Security Council. (2002, May 14). *The situation between Iraq and Kuwait.* (S/RES/1409). New York, NY: Author.

<sup>134</sup> *Ibid.*

Throughout the sanctions it became evident that a large number of innocent civilians in Iraq were suffering from acute deprivations of food and medicine.<sup>135</sup> The situation in Iraq produced overwhelming impoverishment, decreased in the quality of water treatment and utilities, and contributed to the general deterioration of public health infrastructure.<sup>136</sup> While human rights problems happened, there was success when Iraq eventually met many of the Security Council's demands and substantial disarmament was supervised by the United Nations.<sup>137</sup>

Various independent studies done during the mid-1990s suggest that UN sanctions perpetrated widespread and severe human deprivations that most severely affected the very groups most at risk in Iraqi society.<sup>138</sup> Throughout the 1990s, food shortages in Iraq became acute, which prompted number UN-affiliated studies.<sup>139</sup> For example, in 1996, the Food and Agriculture Organization (FAO) published a study that documented the lack of available foodstuffs and the impact on Iraqi children.<sup>140</sup> The report reached the conclusion that the infant mortality rate for Iraq had doubled during the period of the sanctions and that the mortality rate for children under the age of 5 had increased six fold since 1990.<sup>141</sup>

In 1997, the UN Committee on Economic, Social, and Cultural Rights released a report that criticized the Security Council for not adequately taking into account its responsibility under economic, social, and cultural rights law.<sup>142</sup> The report stated that sanctions "often cause significant disruption in the distribution of food, pharmaceuticals and sanitation supplies, jeopardize the quality of food and the availability of clean drinking water, severely interfere with the functioning of basic health and education systems, and undermine the right to work."<sup>143</sup> As such, the report continued, sanctions "have a major additional impact on the enjoyment of economic, social and cultural rights."<sup>144</sup> The report notes that the "theory" behind economic sanctions "is that economic pressure on civilians will translate into pressure on the Government for change."<sup>145</sup> Referring to this "theory" as "bankrupt both legally and practically," Mr. Bossuyt, a professor of law at Antwerp and committee appointed expert, notes that most regimes against which sanctions are imposed are undemocratic, meaning that there is no scope for civilian pressure to bring about governmental change.<sup>146</sup>

### ***Case Study: Economic Sanctions in Cuba***

In the 1980s, Cuba was one of the few developing countries with infant, child, and maternal mortality rates reaching those of developed nations.<sup>147</sup> The US instituted trade sanctions against Cuba in 1964, however in the 1980s the sanctions were relaxed, permitting Cuba to purchase goods from US companies through third parties.<sup>148</sup> In 1992 the US embargo became stricter with the passage of the Cuban Democracy Act.<sup>149</sup> While legislation since World War II exempted humanitarian goods from embargo, the 1992 legislation did not permit the sales of food and required

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<sup>135</sup> Garfield, *supra*, note 114.

<sup>136</sup> Aznar-Gomez, Mariano J. (2002). A decade of human rights protections by the UN Security Council: A sketch of deregulation. *European Journal of International Law*, 13(1), p. 223-242.

<sup>137</sup> Global Policy Forum, *supra*, note 132.

<sup>138</sup> Joyner, *supra*, note 123.

<sup>139</sup> For example, see UNICEF. (1995). *The Status of Women and Children in Iraq (1995)*. Retrieved July 12, 2005, from <http://iraqaction.org/factsandmyths/UNICEF1995.html>; UNHCR. (1997). *Humanitarian situation in Iraq*. (Sub-commission Decision 1997/119). Retrieved July 12, 2005, from [http://www.unhcr.ch/Huridocda/Huridoca.nsf/\(Symbol\)/E.CN.4.SUB.2.DEC.1997.119.En?Opendocument](http://www.unhcr.ch/Huridocda/Huridoca.nsf/(Symbol)/E.CN.4.SUB.2.DEC.1997.119.En?Opendocument); FAO. (1999). *FAO warns of danger to near east ig outbreak of animal disease in Iraq is not contained*. Retrieved July 12, 2005, from available at [http://www.fao.org/waicent/ois/press\\_ne/presseng/1999/pren9904.htm](http://www.fao.org/waicent/ois/press_ne/presseng/1999/pren9904.htm)

<sup>140</sup> Aznar-Gomez, *supra*, note 136.

<sup>141</sup> World Health Organization. (1996). *Health conditions of the population in Iraq since the Gulf Crisis*. (WHO/EHA/96.1). Geneva, Switzerland: Author.

<sup>142</sup> Aznar-Gomez, *supra*, note 136.

<sup>143</sup> Commission on Economic, Social, and Cultural Rights (CESCR). (1997, December 5). *The Relationship Between Sanctions and Respect for Economic, Social and Cultural Rights*. (E/C.12/1997/8). New York, NY: Author.

<sup>144</sup> *Ibid.*

<sup>145</sup> *Ibid.*

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*

<sup>148</sup> Bond, Theresa. (2003). The crackdown in Cuba. *Foreign Affairs*, 82(5), p. 118.

<sup>149</sup> *Ibid.*

unprecedented verification for health and medical supplies.<sup>150</sup> Despite short-term set backs in Cuba, infant, child, and maternal health outcomes have continued to improve since 1992.<sup>151</sup> Some of the factors associated with these outcomes are a strong family doctor program, food rationing, routine monitoring of weight amongst pregnant woman and infants, and wide public education on health care issues.<sup>152</sup>

Advances cited above in economics, social, and cultural rights do not go beyond 1990. From that year onward economic growth has been negative.<sup>153</sup> This was inevitable given the serious economic crisis affecting the country. A report prepared abroad by the Christian Democrat Party and quoted by the UN Special Rapporteur in fact states that “many of the achievements posted, including the low infant mortality rates, high life expectancy, and eradication of diseases, are being severely impacted by the current economic crisis. One of the items most affected is surgical materials. Only emergency cases are being operated on and medicines and laboratory materials are unavailable. The lack of medicines and inadequate food supply are giving rise to vitamin deficiencies and serious nutrition problems.”<sup>154</sup> Only during the worst years of the economic decline and changes to the system, through 1993 and 1994, were poor health outcomes recorded.<sup>155</sup> As Cuba’s economy began to spiral downward in the early 1990s, Cubans began to feel the effects of US sanctions. In 1992 the United States tightened the embargo with the Cuban Democracy Act.<sup>156</sup> In addition to the direct economic impact of these measures, an untold number of foreign companies pulled out of Cuba or have avoided trading with or investing in Cuba.<sup>157</sup>

The UN Committee on Economic, Social, and Cultural Rights adopted a statement in December 1997 concluding that more attention needs to be paid to safeguarding the rights of vulnerable groups in sanctioned countries and calling attention to the possibility that sanctions may violate basic economic, social, and cultural rights.<sup>158</sup> In 1999 the Committee appointed Mr. Bossuyt to draw up a working paper, which concludes “the sanctions regime against Iraq is unequivocally illegal under existing international humanitarian law and human rights law. Some would go as far as making a charge of genocide.”<sup>159</sup> Noting the international definition of genocide and stating that the need for *intent* is satisfied, the report states that “States imposing the sanctions could raise questions under the genocide Convention.”<sup>160</sup>

### ***A better option? “Smart Sanctions”***

The trend in United Nations policy in recent years has been away from general trade sanctions and towards more targeted and selective measures.<sup>161</sup> Since 1994, all UN sanctions have been targeted on the leadership.<sup>162</sup> Financial sanctions, travel bans, arms embargoes, and commodity boycotts have replaced general trade sanctions as the preferred instruments of policy.<sup>163</sup> This trend has continued as part of the United States war on terrorism.<sup>164</sup> In the wake of the September 11, 2001, attacks on the United States, the Security Council adopted Resolution 1373, mandating all Member States to impose targeted financial sanctions and other selective measures against terrorists and their supporters.<sup>165</sup> The Security Council has become increasingly innovative in its use of such measures. Initially, financial sanctions were imposed only on government assets.<sup>166</sup> Since 1994, however, beginning with the

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<sup>150</sup> Garfield, *supra*, note 114.

<sup>151</sup> *Ibid.*

<sup>152</sup> *Ibid.*

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*

<sup>155</sup> Bond, *supra*, note 148.

<sup>156</sup> Certified Cuban Claims. (2005). *Federal legislation on Cuba*. Retrieved August 19, 2005, from [http://congress.nw.dc.us/cubanclaims/legislation\\_3cuban\\_demo.htm](http://congress.nw.dc.us/cubanclaims/legislation_3cuban_demo.htm)

<sup>157</sup> *Ibid.*

<sup>158</sup> CESCR, *The Relationship Between Sanctions and Respect for Economic, Social and Cultural Rights*, *supra*, note 143.

<sup>159</sup> Commission on Economic, Social, and Cultural Rights (CESCR). (2000, June 21). *The adverse consequences of economic sanctions on the enjoyment of human rights Working paper prepared by Mr. Marc Bossuyt*. (E/CN.4/Sub.2/2000/33). New York: NY, Author, paragraph 71.

<sup>160</sup> *Ibid.*

<sup>161</sup> Bond, *supra*, note 148.

<sup>162</sup> *Ibid.*

<sup>163</sup> *Ibid.*

<sup>164</sup> Lopez, George & Cortright, David. (2002). Smartening under sanctions. *The World Today*, 58(3), p. 17-19.

<sup>165</sup> United Nations Security Council. (2001, September 28). *Anti-terrorism*. (S/RES/1373). New York, NY: Author.

<sup>166</sup> Lopez & Cortright, *supra*, note 164.

case of Haiti, the Council has also put holds on the accounts of designated individuals and entities.<sup>167</sup> Asset freezes were imposed against the Haitian military junta, UNITA leaders in Angola, and the Taliban in Afghanistan.<sup>168</sup> The counter-terrorism sanctions mandated in Resolution 1373 were also directed at specific individuals and entities.<sup>169</sup> Resolution 1373 has been more sweeping in its implications. This was the most far-reaching sanctions measure ever adopted by the Council.<sup>170</sup> It demanded that Member States take action within their borders to criminalize the financing of terror, and adopt other law enforcement and intelligence-sharing arrangements.<sup>171</sup>

In a 1997 resolution, the Sub-Commission of CESCRC expressed concern about the human rights implications of economic sanctions. The resolution stressed four particular points of concern relating to economic sanctions: they should always be limited in time; they most seriously affect innocent populations, especially the most vulnerable; they aggravate imbalances in income distribution; and they generate illegal and unethical business practices.<sup>172</sup> In 1999, the Sub-Commission requested one of its members, Mr. Marc Bossuyt, to prepare a working paper on the topic, to be submitted to its 52<sup>nd</sup> session. It is stressed that the right to impose sanctions is not unlimited.<sup>173</sup> Mr. Bossuyt notes that Article 39 of the Charter of the United Nations “allows the Security Council to take measures such as sanctions only ‘to maintain or restore international peace and security’ following its determination that there exists a threat to or breach of the peace, or an act of aggression.”<sup>174</sup> He stresses that a *threat* must be understood as a genuine *international concern* not determined on the basis of ulterior political motives.<sup>175</sup> The report proposes the better use of *smart sanctions*, which are targeted at affecting the political leaders or those responsible for the breach of peace, while leaving civilians alone. Smart sanctions may include: the targeting of personal foreign assets of members of Government or the military and the ruling elite; the freezing of the assets of government-owned businesses; bans on imports of luxury goods and travel restrictions on specified people.<sup>176</sup>

### ***NGO Involvement***

Humanitarian agencies like Save the Children and religious organizations like the Quakers and the Vatican, networks of professional organizations like Doctors without Borders and the World Medical Association, and human rights groups like Amnesty International and Human Rights Watch have all been critical of sanctions.<sup>177</sup> While no simple or uniform policy on sanctions has been reached, the humanitarian effects can be anticipated and prevented.<sup>178</sup> There are many NGOs involved in the debate over sanctions, however few of these have the same solutions for an end to sanctions. The NGOs that participate in CESCRC actively work with the committee to ensure the economic, social, and cultural rights of citizens during sanctions. Many of these NGOs promote an educated decision making process from the United Nations that protects individuals. This is done through policy analysis and action on the group of sanctioned states. However, sometimes even NGOs are prohibited from helping in sanctioned states.

### ***Conclusion***

Economic sanctions have been approached with mixed results in the past few decades. Advocates of sanctions regard them as an important weapon in the foreign policy arsenal. Skeptics question whether sanctions are an effective stand-alone instrument and whether the costs to the users of sanctions are worth the benefits derived. Delegates should consider further questions regarding sanctions. What role should NGOs play in human rights during sanctions? Should smart sanctions be the only option for the Security Council? Does your country believe

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<sup>167</sup> *Ibid.*

<sup>168</sup> *Ibid.*

<sup>169</sup> United Nations Security Council, *Anti-terrorism*, *supra*, note 165.

<sup>170</sup> Lopez & Cortright, *supra*, note 164.

<sup>171</sup> *Ibid.*

<sup>172</sup> CESCRC, *The Relationship Between Sanctions and Respect for Economic, Social and Cultural Rights*, *supra*, note 143.

<sup>173</sup> *Ibid.*

<sup>174</sup> CESCRC, *The adverse consequences of economic sanctions on the enjoyment of human rights Working paper prepared by Mr. Marc Bossuyt*, *supra*, note 159.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*

<sup>177</sup> Garfield, *supra*, note 114.

<sup>178</sup> *Ibid.*

unilateral sanctions are a good tool or should all sanctions go through the Security Council? What is the role of the CЕССR and should this role be expanded?

### III. The Marginalization of Education on a Global Level

*Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development.*<sup>179</sup>

Globally, more than one hundred million children, mostly in lesser developed countries, still do not have any access to schooling, mostly in poor countries.<sup>180</sup> This lack of basic education means that young people have fewer choices and opportunities and is also making it harder for countries in the developing world to tackle poverty and disease. Twenty years ago, eight out of 10 children in the world went to primary school.<sup>181</sup> Today the number has risen to nine out of 10, but getting to 100% will be a big challenge.<sup>182</sup> According to the Global Monitoring Report, primary schooling for every child has only been achieved in 50 countries to date.<sup>183</sup> Another 57 countries are currently experiencing a number of difficulties, which are preventing them from meeting the goal.<sup>184</sup> In the world today there are 785 million illiterate adults composing approximately 20.3% of the adult population.<sup>185</sup> Of the illiterate adults, women compose approximately two-thirds and 98 percent are in underdeveloped or developing nations.<sup>186</sup> Worldwide, over 860 million people are illiterate, 61 percent come from Bangladesh, China, India, and Pakistan and 66 percent are women.<sup>187</sup> The rate for both women and girls are the same. Since 2000, children with access to primary education have actually fallen in 41 countries and over 104 million school aged children are not enrolled in school.<sup>188</sup>

#### **Right to Education**

According to the United Nations Declaration of Human Rights, the right to education is a fundamental human right.<sup>189</sup> Article 26 of the *Universal Declaration of Human Rights* (UDHR) states: "everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit."<sup>190</sup> It occupies a central place in human rights and is essential and indispensable for the exercise of all other human rights and for development.<sup>191</sup> As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty, and obtain the means to participate fully in their communities.<sup>192</sup> None of the civil, political, economic, and social rights can be exercised by individuals unless they have received a certain minimum education.<sup>193</sup> This right was confirmed in 1960 in the *Convention against Discrimination in Education* and in 1966 with the *Recommendation Concerning the Condition of Teachers*.<sup>194</sup> It was 18 years after the adoption of the *UDHR*

<sup>179</sup> UNICEF. (1999). *State of the World's Children, Education*, p. 5. Retrieved August 8, 2005, from <http://www.unicef.org/sowc99/sowc99a.pdf>, forward.

<sup>180</sup> Staley, Lynn. (2005). An Update From the United Nations. *Childhood Education*, 81(3), p. 158-160.

<sup>181</sup> *Ibid.*

<sup>182</sup> *Ibid.*

<sup>183</sup> *Ibid.*

<sup>184</sup> *Ibid.*

<sup>185</sup> *Ibid.*

<sup>186</sup> *Ibid.*

<sup>187</sup> *Ibid.*

<sup>188</sup> *Ibid.*

<sup>189</sup> United Nations General Assembly, *Universal Declaration of Human Rights*, *supra*, note 3.

<sup>190</sup> *Ibid.*

<sup>191</sup> Babadji, Ramdane. (2000). Legal foundations for the right to education. *EIP publications*.

<sup>192</sup> *Ibid.*

<sup>193</sup> *Ibid.*

<sup>194</sup> United Nations Education, Scientific, and Cultural Organization (UNESCO). (1960, December 14). *Convention against Discrimination in Education*. Retrieved July 10, 2005 from [http://www.unhchr.ch/html/menu3/b/d\\_c\\_educ.htm](http://www.unhchr.ch/html/menu3/b/d_c_educ.htm); United Nations Education, Scientific, and Cultural Organization (UNESCO). (1966, October 5). *Recommendation Concerning the Condition of Teachers*. Retrieved July 10, 2005, from [http://portal.unesco.org/en/ev.php-URL\\_ID=13084&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13084&URL_DO=DO_TOPIC&URL_SECTION=201.html)

that the content on the right to education was detailed in Article 13 of the *International Covenant on Economic, Social, and Cultural Rights*.<sup>195</sup> Ten more years went by before the *Covenant's* entry into force on January 3, 1976, in accordance with the provisions of Article 27, which stipulated that "the present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations (UN) of the thirty-fifth instrument of ratification or instrument of accession."<sup>196</sup> The *Convention on the Rights of the Child*, which entered into force on September 2, 1990, stipulates in Article 28 that the States Parties recognize the specific right of children to education.<sup>197</sup>

The following is a proposed definition of the right to education:

Education is at the same time a fundamental right in itself and one of the keys in exercising other rights inherent to the human being. As a right that contributes to the autonomy of the individual, education is the main tool allowing economically and socially marginal adults and children to get out of poverty and to obtain the means to fully participate in community life. Education plays a major role: in the responsabilization of women, the protection of children against labor exploitation, dangerous work or sexual exploitation, the promotion of human rights, environmental conservation, population control. Education is increasingly reputed to be one of the best financial investments for States, but its importance lies not only in its practical consequences and possibilities. A well-stocked and active mind, capable of freely wandering, is one of the joys and rewards of existence.<sup>198</sup>

Education, however, is still not internationally recognized as a right.<sup>199</sup> Education has become commercialized, with the price for schooling going up as those who enroll in school increases, making higher education nearly unattainable for many and a commodity that is not even offered for most.<sup>200</sup>

### ***Education for all***

In 1990 the Conference on Education for All was held in Jomtien, Thailand where a pledge by all participants was made that universal primary education would be achieved by 2000.<sup>201</sup> The *World Declaration on Education for All* called for countries, by the end of the 1990s, to meet the basic learning needs of all children and adults; provide universal access to education for all learners; create equity in education for women and other underserved groups; focus on actual learning acquisition; broaden the types of educational opportunities available to people; and create better learning environments for students, which include nutritional, medical, physical, and emotional support systems.<sup>202</sup> To achieve these goals, the declaration stated that it was required that countries develop social, cultural, and economic policies that support the achievement of the declaration; mobilize both existing and new economic and human resources; and strengthen international solidarity for providing all people with the basic human right to an education.<sup>203</sup> Next, the *Dakar Framework for Action* was adopted at the World Education Forum in Dakar, Senegal, in April 2000.<sup>204</sup> This forum was organized as follow-up to the World Conference on Education for All. The results were discussed at the 2000 conference and acknowledged that much more work was left to be done. In

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<sup>195</sup> United Nations General Assembly. (1976, January 3). *International Covenant on Economic, Social and Cultural Rights*.

Retrieved July 11, 2005, from [http://www.unhchr.ch/html/menu3/b/a\\_ceschr.htm](http://www.unhchr.ch/html/menu3/b/a_ceschr.htm)

<sup>196</sup> *Ibid.*, Article 27.

<sup>197</sup> United Nations General Assembly. (1989, November 20). *Convention on the rights of the child: Article 28*. Retrieved July 19, 2005, <http://www.unhchr.ch/html/menu3/b/k2crc.htm>

<sup>198</sup> Committee on Economic, Social and Cultural Rights (CESCR). *Fundamental Questions Concerning the Implementation of the International Covenant on Economic, Social and Cultural Rights. Draft*. (HR/CESCR/NONE/1999/13). New York, NY: Author, General Observation 13.

<sup>199</sup> No Author. (2003). News report by the United Nations special rapporteur on the right to education. *Literacy as freedom*. Retrieved July 10, 2005, from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=16710&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=16710&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>200</sup> *Ibid.*

<sup>201</sup> World Conference on Education for All. (1990, March 9). *World Declaration on Education for All*. Retrieved July 12, 2005, from [http://www.unesco.org/education/efa/ed\\_for\\_all/background/jomtien\\_declaration.shtml](http://www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml)

<sup>202</sup> *Ibid.*

<sup>203</sup> *Ibid.*

<sup>204</sup> World Education Forum. (2000, April 28). *Dakar framework of actions*. Retrieved July 12, 2005, from <http://unesdoc.unesco.org/images/0012/001211/121147e.pdf>

2000, 104 million school-age children were still not in school, 57 percent of them were girls and 94 percent were in developing countries - mostly in South Asia and Sub-Saharan Africa.<sup>205</sup> 1500 participants from 181 countries attended the Dakar World Education Forum, including 150 non-governmental organizations (NGOs), and numerous bilateral and multi-lateral agencies and development banks.<sup>206</sup> The *Framework for Action* called for new or revised national plans of action developed through wide consultation and in the context of ongoing sector-wide reforms and poverty reduction strategies.<sup>207</sup>

In September 2000, heads of all 191 Member States of the United Nations committed themselves to meet quantifiable targets for combating poverty, hunger, illiteracy, environmental degradation, and discrimination by the year 2015.<sup>208</sup> *Millennium Development Goals* (MDG) set a more realistic set of goals, although still difficult to obtain.<sup>209</sup> United Nations gave it the second highest priority in the *Millennium Development Goals*, after the eradication of extreme poverty and hunger.<sup>210</sup> One of the MDG education goals, Goal 2, stipulates that the world should achieve universal primary education for boys and girls by 2015.<sup>211</sup> In September 2005, heads of state will assemble at the United Nations in New York to assess the progress that has been achieved towards the MDG.<sup>212</sup> The report of the Millennium Project Task Force on Education and Gender Equality (2005) notes several problems with the education goal.<sup>213</sup> The feasibility of the goals was not established prior to the adoption of the MDG. There is even a question of whether the Goals apply to the world or separately to each country.<sup>214</sup> There is also tremendous degree of variation across countries and regions.<sup>215</sup> While primary school completion rates have improved globally since the early 1990s, many countries remain off track for achieving universal primary education by 2015.<sup>216</sup> Even in the case of countries with a fighting chance to achieve universal primary education by 2015, success requires changes in existing practices.<sup>217</sup> Many countries need to address problems with the educational system before MDGs can be reached.<sup>218</sup>

### ***Gender equality in education***

According to a UN study, "[t]raditional cultures and sexist stereotypes diffused by media and religious extremists often affect girls' access to education, drop out rates, professional or higher education opportunities."<sup>219</sup> "In access to and content of education, women suffer discrimination; textbooks may represent women in a way that undermines respect and tolerance among young people forcing women to stay at home or excluding girls from schools based on religious practices violates principles of international law."<sup>220</sup> Education is a fundamental right for all children, including girls. Yet, as in many other areas of their lives, girls' prospects for education are diminished because of

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<sup>205</sup> *Ibid.*

<sup>206</sup> *Ibid.*

<sup>207</sup> *Ibid.*

<sup>208</sup> Birdsall, Nancy & Vaishnay, Milan. (2005). Education and the MDGS: Realizing the Millennium Compact. *Journal of International Affairs*, 58(2), p. 257-265.

<sup>209</sup> For more information please see: No Author. (n.d.). *To view progress of the MDG view Millennium Development Goals: Progress Report*. Retrieved July 12, 2005, from <http://www.un.org/millenniumgoals/mdg2004chart.pdf>; No Author. (n.d.). *Net enrollment in primary education*. Retrieved July 12, 2005, from [http://millenniumindicators.un.org/unsd/mi/mi\\_indicator\\_xrxx.asp?ind\\_code=6](http://millenniumindicators.un.org/unsd/mi/mi_indicator_xrxx.asp?ind_code=6); No Author. (n.d.). *Proportions of pupils starting grade 1 who reach grade 5*. Retrieved July 12, 2005, from [http://millenniumindicators.un.org/unsd/mi/mi\\_indicator\\_xrxx.asp?ind\\_code=7](http://millenniumindicators.un.org/unsd/mi/mi_indicator_xrxx.asp?ind_code=7); No Author. (n.d.). *Literacy rates for 15-25 year olds*. Retrieved July 12, 2005, from [http://millenniumindicators.un.org/unsd/mi/mi\\_indicator\\_xrxx.asp?ind\\_code=8](http://millenniumindicators.un.org/unsd/mi/mi_indicator_xrxx.asp?ind_code=8)

<sup>210</sup> Birdsall & Vaishnay, *supra*, note 208.

<sup>211</sup> United Nations General Assembly. (2000, September 18). *United Nations Millennium Declaration*. (A/Res/55/2). New York, NY: Author. Retrieved July 11, 2005, from <http://www.un.org/millennium/declaration/ares552e.pdf>

<sup>212</sup> Otieno, Alex. (2005). Studying the Millennium Development Goals. *United Nations Chronicle*, 41(4), p. 53-54.

<sup>213</sup> Task force on education and gender equality. (2005). *Toward universal primary education: investments, incentives, and institutions*. Retrieved July 12, 2005, from [http://www.unmillenniumproject.org/reports/tf\\_education.htm](http://www.unmillenniumproject.org/reports/tf_education.htm)

<sup>214</sup> *Ibid.*

<sup>215</sup> *Ibid.*

<sup>216</sup> *Ibid.*

<sup>217</sup> *Ibid.*

<sup>218</sup> Birdsall & Vaishnay, *supra*, note 208.

<sup>219</sup> Skrbic, Mirna. (2005). Girls just want to go to school. *Transition*, 1, p.5.

<sup>220</sup> *Ibid.*



gender discrimination. The statistics say it all: 65 of the 121 million children in the world who are not in school are girls.<sup>221</sup> In Sub Saharan Africa, 24 million girls were out of school in 2002.<sup>222</sup> 83% of all girls out of school live in Sub Saharan Africa, South Asia, East Asia and the Pacific.<sup>223</sup> Two-thirds of the world's 785 million illiterate adults are women.<sup>224</sup> That is why United Nations Secretary-General Kofi Annan, in his groundbreaking address to the Millennium Assembly reminded us that there can be no significant or sustainable transformation in societies – and no lasting reduction in global poverty – until girls receive the basic quality education they deserve – and take their rightful place as equal partners in development.<sup>225</sup> While the literacy rate for women aged 15-24 years improved 5 percentage points from 78 to 83 per cent between 1990 and 2002, even at this rate the target of eliminating gender disparity in education by 2015 will not be met.<sup>226</sup>

### ***Role of NGOs***

Non-governmental organizations play a very significant role in arena of marginalization of education. They work closely with government and intergovernmental organizations to meet the MDGs and to increase gender equality in schools. Amnesty International (AI) works in this arena providing curriculum training.<sup>227</sup> The campaign by AI works on integrating human rights concepts and values into a school or training curricula can gain credence and strength when backed by international human rights standards.<sup>228</sup> Many other NGOs have taken like measures. At the Dakar World Education Forum 150 NGOs participated making the conference mutually beneficial and creating avenues that NGOs and Member States could work together.<sup>229</sup> Concern Worldwide has been in operation for years and focuses on international education and their main goal is to “sustainably improve the livelihoods of extremely poor women, men and children by stimulating their demand for, and increasing access to quality Basic Education”.<sup>230</sup> With the inclusion of civil society through NGOs there is a much higher chance of meeting the MDGs and reaching the goals behind Education For All.

### ***Conclusion***

Progress has been made toward the Education For All goals since the Jomtien Conference in 1990. Primary school enrollment rose from 599 million in 1990 to 681 million in 1998, with 10 million more children enrolled in school each year.<sup>231</sup> There has been an increase in available programs to meet the needs of all learners, such as the Farmers' Schools in Asia to help circulate agricultural knowledge and practices, and the skills training schools for women in India.<sup>232</sup> To close the gender gap in education, countries like Benin have waived school fees for girls living in rural areas and begun a media campaign to sensitize parents to gender issues.<sup>233</sup> Slight gains have also been made in adult literacy; while 75 percent of adults were literate in 1990, 80 percent of adults were literate in 2000.<sup>234</sup>

Despite these gains, there is still much more to do, especially in sub-Saharan Africa, South Asia, and some Arab states. With regards to early childhood care and education (ECCE) programs, 36 countries have gross enrollment rates (GER) of less than 20 percent, and 20 countries are below five percent; three quarters of these are sub-Saharan African nations.<sup>235</sup> There was also a decline in ECCE enrollment in countries in Central Asia and Eastern Europe;

<sup>221</sup> Duodo, Cameron. (2005). Betrayed by lemons. *New African*, 441, p. 48-50.

<sup>222</sup> Birdsall, Nancy, Ibrahim, Amina, & Gupta, Geeta. (2004). Interim report on achieving the Millennium Development Goal of universal primary education. *Millennium Project Task force on Education and Gender Equality*. Retrieved July 10, 2005, from <http://www.unmillenniumproject.org/documents/tf3edinterim.pdf>

<sup>223</sup> *Ibid.*

<sup>224</sup> *Ibid.*

<sup>225</sup> Skrbic, *supra*, note 219.

<sup>226</sup> *Ibid.*

<sup>227</sup> Amnesty International. *Rights – Education – Action Programme*. Retrieved September 1, 2005, from <http://web.amnesty.org/pages/hre-reap-eng>

<sup>228</sup> *Ibid.*

<sup>229</sup> World Education Forum, *supra*, note 204.

<sup>230</sup> Concern Worldwide. (2005). *Education*. Retrieved September 1, 2005, from <http://www.concern.net/overseas/programmefocus/education.php>

<sup>231</sup> Birdsall, Ibrahim & Gupta, *supra*, note 222.

<sup>232</sup> *Ibid.*

<sup>233</sup> Duodo, *supra*, note 221.

<sup>234</sup> Birdsall, Ibrahim & Gupta, *supra*, note 222.

<sup>235</sup> Staley, *supra*, note 180.

the most dramatic GER decline was in Kazakhstan, with 72.3 percent enrollment in 1990 and 11.4 percent enrollment in 1999.<sup>236</sup> As of 1999, 115.4 million school-age children were not enrolled in school, and many countries had GERs below 70 percent – a majority of these countries are located in sub-Saharan Africa, with Angola, Burkina Faso, Burundi, Eritrea, Guinea, Niger, Sierra Leone, Sudan, and the United Republic of Tanzania reporting the lowest GERs.<sup>237</sup>

With these gains and shortcomings, is the world going to meet the three measurable goals of EFA – universal primary education, gender equality, and halving adult illiteracy rates – by 2015? Eighty-three countries are indeed expected to reach the Dakar goals by 2015, but more than 70 countries will not succeed if they continue at their current rate of progress.<sup>238</sup> Twenty-eight countries may not achieve any of these three measurable goals; two-thirds are sub-Saharan African nations along with India and Pakistan.<sup>239</sup> Using data of what has been achieved up to this point, and if these nations continue to progress at their current rates, universal primary education will not be achieved in 57 countries, gender parity will not be reached in 31 countries, and cutting adult illiteracy rates by 50 percent will not be achieved in 78 countries.

Questions to consider for further research. What is your Member States' point of view on Education For All? How many of these goals have been met? In regards to the MDG, what is the progress in your country, region, and regional participation? When it comes to civil society, what is their role in your region and country? Does civil society help or hinder the situation? Has your country provided assistance (financial or in-kind) to other countries attempting to meet their MDGs?

## Annotated Bibliography

### *Committee History*

No Author. (2005). *The international system of human rights*. Retrieved July 10, 2005, from [http://www.aidh.org/uni/Formation/02LesPactes\\_a.htm](http://www.aidh.org/uni/Formation/02LesPactes_a.htm)  
*This website examines international human rights. It gives an overview of the legally binding international instruments along with those that are merely resolutions. A history of civil and economic rights is also provided.*

Office of the United Nations High Commissioner for Human Rights. (n.d.). *Fact sheet number 16: Section 7 civil society and the work of the committee*. Retrieved July 10, 2005, from <http://www.ohchr.org/english/about/publications/docs/fs16.htm#7>  
*The role of civil society in the CESCR is provided. This includes speaking times, interactions, and role at the United Nations. There is an historical overview of declarations NGOs have participated in and a general history of their involvement.*

Office of the United Nations High Commissioner for Human Rights. (2005). *The international covenant on economic, social, and cultural rights*. Retrieved July 10, 2005, from <http://www.ohchr.org/english/countries/ratification/3.htm>  
*This website provides a list of participants in the International Covenant on Economic, Social and Cultural rights. There is a list of signatories and ratification dates. Also there is a general comment regarding entry into force.*

Office of the United Nations High Commissioner for Human Rights. (2005). *Monitoring economic, social, and cultural rights*. Retrieved July 5, 2005, from <http://www.ohchr.org/english/bodies/cescr/>  
*The Office of the United Nations High Commissioner for Human Rights provides a brief history of the CESCR. In this history there is a discussion of the monitoring mechanisms. There is also an*

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<sup>236</sup> Duodo, *supra*, note 221.

<sup>237</sup> Birdsall & Vaishnay, *supra*, note 208.

<sup>238</sup> *Ibid.*

<sup>239</sup> *Ibid.*

overview of where and when the committee meets. Links are provided to other sites and important information.

United Nations General Assembly. (1981, September 3). *Convention on the Elimination of All Forms of Discrimination Against Women*. (A/RES/34/180). Retrieved July 10, 2005, from <http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>  
*The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.*

United Nations General Assembly. (1969, January 4). *Convention for the Elimination of All Forms of Racial Discrimination*. (A/RES/2106). Retrieved July 10, 2005, from [http://www.unhchr.ch/html/menu3/b/d\\_icerd.htm](http://www.unhchr.ch/html/menu3/b/d_icerd.htm)  
*The Convention on the Elimination of All Forms of Racial Discrimination (CERD) is a United Nations convention adopted and opened for signature and ratification by United Nations General Assembly resolution 2106 (XX) December 21, 1965, and which entered into force January 4, 1969. There is a monitoring committee for this convention called the Committee on the Elimination of Racial Discrimination. This body monitors the progress of the convention.*

United Nations General Assembly. (1989, November 20). *Convention on the Rights of the Child*, (A/RES/44/736). Retrieved July 10, 2005, from <http://www.unhchr.ch/html/menu3/b/k2crc.htm>  
*The United Nations Convention on the Rights of the Child is an international convention setting out the civil, political, economic, social and cultural rights of children. Most member nation states (countries) of the United Nations have ratified it, either partly or completely. The United Nations General Assembly agreed to adopt the Convention into international law on November 20, 1989; it came into force in September 1990, after the required number of nations ratified it. The Convention generally defines a child as any person under the age of 18 years, unless an earlier age of majority is recognized by a country's law.*

United Nations General Assembly. (1976, January 3). *International Covenant on Economic, Social and Cultural Rights*, (A/RES/2200). Retrieved July 10, 2005, from [http://www.unhchr.ch/html/menu3/b/a\\_cescr.htm](http://www.unhchr.ch/html/menu3/b/a_cescr.htm)  
*The International Covenant on Economic, Social and Cultural Rights is a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966, and in force from January 3, 1976. It commits states parties to work toward the granting of economic, social, and cultural rights to individuals. It was introduced as a second generation human rights treaty developing some of the issues contained in the Universal Declaration of Human Rights, at the same time as the International Covenant on Civil and Political Rights.*

United Nations General Assembly. (1948, December 10). *Universal Declaration of Human Rights*. (A/RES/810). Retrieved July 10, 2005, from <http://www.un.org/Overview/rights.html>  
*The Universal Declaration of Human Rights is a declaration adopted by the United Nations General Assembly, outlining a view on basic human rights. John Peters Humphrey of Canada was its principal drafter, aided by Eleanor Roosevelt of the United States. While it is not a legally binding document, it served as the foundation for the original two legally-binding UN human rights Covenants, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights.*

### ***I. Protection of the Rights of Migrant Workers***

Amnesty International. (2004, December). Protecting migrant workers rights. *The Wire*. Retrieved August 7, 2005, from [http://web.amnesty.org/wire/December2004/migrant\\_workers](http://web.amnesty.org/wire/December2004/migrant_workers)  
*This source provide background on international human rights organizations attention to the issue of migrant workers rights. They both show that the international community is beginning to*

*understand the issue and provides a basic understand to what is being done and what is left to do. The articles also describe how civil society is involved.*

Cholewinski, Ryszard. (2005). *Protecting migrant workers in a globalized world*. Migration Information Source. Retrieved July 1, 2005, from <http://www.migrationinformation.org/Feature/display.cfm?id=293>

*This article examines the basic human rights that apply to migrants as well as everyone else. The right to work is looked at in detail. There is also a thorough discussion of ILO discussions and their meaning to the international community. Along with this discussion there is also a review of what needs to happen to better ensure human rights.*

Dassin, Joan. (2005). Brain gain, not drain. *International Educator*, 14(3), 20-26.

*Dassin opines that US higher education should not inadvertently contribute to brain drain in developing countries as the critical importance of keeping the country open to the world's top international students is seen necessary. This comes as one specific concern is that fewer US-trained international graduates will be available to staff US laboratories, research centers, and computer science departments. In doing so, the interest of national security will not diminish the effectiveness of some of the most important tools of soft power.*

Dommen, Caroline. (2005). Migrants' human rights: Could GATS help? *Migration Information Source*. Retrieved August 7, 2005 from <http://www.migrationinformation.org/Feature/display.cfm?id=290>.

*This article explores the impact of GATS on migrant workers and their rights. There is specific attention paid to the general migrant population. The article calls into question if the free trade agreements will help or hinder migrants rights. The article explores the right to work and other basic rights.*

Global Union Research Network. (2005). *Topic – Migration*. Retrieved July 2, 2005, from <http://www.gurn.info/topic/migrant/index.html>

*The Global Union Research Network provides an overview of migration. The overview covers topics ranging from sex trafficking to protection. Links are also provided with more information.*

Human Rights Watch. (2003, July). *Migrant workers need protection*. Retrieved August 7, 2005, from <http://www.hrw.org/press/2003/06/mwc063003.htm>

*This source provides background on international human rights organizations attention to the issue of migrant workers rights. They both show that the international community is beginning to understand the issue and provides a basic understand to what is being done and what is left to do. The articles also describe how civil society is involved.*

International Conference on Population Development. (1994). *Report of the International Conference on Population Development*. Cairo, Egypt: Author.

*The theme of the report is population, sustained economic growth and sustainable development. The ICPD, although extensively prepared from a scientific view, does not intend to shed more scientific light on demographic themes but to extract a political commitment from sovereign states that specific actions should be taken to influence population change. The final report examines the link between these topics.*

International Organization for Migration. (2001). *Trafficking in migrants: IOM policy and responses*. Retrieved July 1, 2005, from [http://www.iom.int/en/who/main\\_policies\\_trafficking.shtml](http://www.iom.int/en/who/main_policies_trafficking.shtml)

*This website provides an overview of the IOM policy for migrants and their trafficking. IOM is an NGO that works internationally with NGOs, IGOs, and governments to assist migrants. The link provides solutions and further questions as well. This link provides an overview of their research on the topic. A wealth of knowledge on the website.*

Jacobsen, J.P. (2005). The Global Political Economy of Sex: Desire, Violence, and Insecurity in Mediterranean Nation States. *Choice*, 42(9), 1673-1675.

*With particular focus on the transnational flows of female domestic and sex workers into these countries. Writing from a background of political science/international political economy, the*

*author brings a Marxist-feminist analysis to bear on these phenomena. It examines the laws and strategies that are used with female sex workers.*

- Lowell, Brian L. & Findlay, A. M. (2002). Migration of highly skilled persons from developing countries: Impact and policy responses – Synthesis report. *International Migration Paper*, 1(1).  
*Lowell & Findlay examine the question of brain drain and if it the flow of white collar workers is beneficial or detrimental. They explore this question in the western hemisphere and how it affects the labor market and global economy. In the concluding remarks the authors explain the short comings and what is still needed to understand brain drain to a fuller extent.*
- Meyer, J.B. & Brown, M. (1999, June-July). *Scientific Diasporas: A new approach to the brain drain*. (Discussion Paper No. 41 prepared for the World Conference on Science). Budapest, Hungary: UNESCO-ICSU.  
*Meyer & Brown examine a new method of brain drain. The paper discusses both the pros and cons of brain drain and identify that it is not always a negative phenomenon. It also addresses the history of brain drain and what the future may hold.*
- Martin, Susan F. (2001). Global migration trends and asylum. *The Journal of Humanitarian Assistance*, 41. Retrieved July 2, 2005, from <http://www.jha.ac/articles/u041.htm>  
*This paper looks at trends in global migration that are important for the asylum system. It begins with a review of the scale of international migration today, focusing on the interface between asylum and other forms of migration. It continues with a discussion of major trends and influences on migration patterns. The importance of these trends for asylum policies and practices are then discussed in greater detail. The paper concludes with areas where further policy development is required and, in accordance with the terms of reference, suggests options for strengthening UNHCR's role and preserving refugee space for refugee protection within international migration management efforts.*
- Millennium Project. (2004). *Interim report of the task force 8 on improving the lives of slum dwellers*. Retrieved July 7, 2005, from <http://www.unmillenniumproject.org/documents/tf8interim%20execsum.pdf>.  
*Migration is described as a phenomenon that needs to be understood in order to achieve the MDG targets in this regard. Some of the more recent Task Force reports of the UN Millennium Project do contain references to migration with respect to the specific issue areas they address.*
- Morris, Lydia. (2003). Managing contradiction: Civic stratification and migrants' rights. *International migration review*, 37(1), 74-101.  
*Political interest in cross-national migration has generated two opposite positions that are reviewed in this paper. One perspective emphasizes the continuing power of the nation state, while the other sees migration as the manifest of an emergent 'post-national' society. This article offers a conceptual framework that addresses this polarization through the concept of civic stratification.*
- Mutume, Gumisai. (2003). Revising Africa's brain drain: New initiatives tap skills of African expatriates. *Africa Recovery*, 17(2), 1.  
*Brain drain has become one of the major threats against the development agenda for Africa. Africans leave the continent for various reasons including further studies, better working conditions and job opportunities elsewhere, political asylum, among others. This study surveyed African emigrants globally to obtain information such as the African country in which they were born, which Western country they currently live in, what their field of specialization is, whether they would return to Africa, and under which set of circumstances.*
- No Author. (2003). Fact Sheet: From aspiration to action. *World economic forum global governance initiative*. Retrieved August 20, 2005, from [http://www.weforum.org/pdf/Initiatives/ggi\\_factsheet.pdf](http://www.weforum.org/pdf/Initiatives/ggi_factsheet.pdf)  
*The Fact Sheet gives and overview of the world economic forums global initiative. It provides a general overview of the history of the issue along with an in depth description of what the goals are for the future. At the end of the document there is a list of challenges and changes that need to be made.*

Papademetriou, Demetrios G. (2004, July). Effective Practices for the Selection of Economic Migrants. *Migration Research Group*.

*This essay discusses various strategies that have been developed for recruiting, selecting, and admitting economically active immigrants, and examines the advantages, pitfalls, and potential of each. It does not attempt to exhaustively catalog the immigration policies and outcomes of developed countries—an exercise which has been carried out elsewhere (OECD 2002; OECD, 2004; IOM, 2003). The strategies discussed here include ones that could be applied for temporary immigration programs, permanent settlement, or for both*

Population Reference Bureau. (2005). *Effects of Migration on Population Growth*. Retrieved July 2, 2005, from [http://www.prb.org/Content/NavigationMenu/PRB/Educators/Human\\_Population/Migration2/Migration1.htm](http://www.prb.org/Content/NavigationMenu/PRB/Educators/Human_Population/Migration2/Migration1.htm)

*The Population Reference Bureau goes into the origin of migrants in the United States. It also explores immigration and emigration. There is an examination of international migration and reasons that people migrate.*

Ray, Brian. (2004, July). Practices to promote the integration of migrants into the labor markets. *The Migrant Research Group*.

*This paper examines immigrant economic integration policies, practices and outcomes in industrial societies that received substantial numbers of newcomers during the 1990s – in particular, Member States of the European Union, Canada, the United States and Israel. Significant attention is devoted to describing programs and policies – both universal and directed specifically to immigrants – that are intended to encourage labor force participation, attachment and social mobility. A secondary emphasis is also placed on to the diversity of labor market experiences among immigrants in regard to their place of birth/ethnicity, human capital characteristics and legal status within a receiving society.*

Ratha, Dilip. (2003). Workers' remittances: An important and stable source of external development finance. *Global Development Finance*.

*Ratha examines the relative importance of workers' remittances as a source of development finance and discusses measures that industrial and developing countries could take to increase remittances. The paper explains that remittances are the second largest source of external funding for developing countries. It also examines the investment of these funds in the home countries.*

Satterthwaite, Margaret. (2004). Women migrant's rights under international human rights law. *Feminist Review*, 77, 167-171.

*For feminists concerned about the rights of women migrants around the world, an excessive focus on the Migrant Workers' Convention could be detrimental. Satterthwaite looks at the ups and downs of the convention as it relates to women and also examines women in the general context of migrant laborers.*

Technical Symposium on International Migration and Development. (1998). *Executive summary: Technical summary on international migration and development*. Retrieved July 7, 2005, from [http://www.unfpa.org/icpd5/meetings/hague\\_migra/migration.htm](http://www.unfpa.org/icpd5/meetings/hague_migra/migration.htm)

*This conference was a follow up to previous conferences regarding international migration and development. Various issues were addressed at the conference to cover all issues facing migrants and what should be done to make the laws and regulations better. Country case studies were also considered.*

United Nations Educational, Scientific and Cultural Organization (UNESCO). (2004). *Information kit on the United Nations convention on migrants rights*. Retrieved July 1, 2005, from

[http://portal.unesco.org/shs/en/ev.php-URL\\_ID=3448&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=3448&URL_DO=DO_TOPIC&URL_SECTION=201.html)

*This site examines different facts of the Convention on Migrants Rights. It provides additional links and information. There is a brief history of the convention with explanations of migration and human rights. Also included on this site is a break down of the convention and what type of human rights abuses are in different sections.*

United Nations Educational, Scientific and Cultural Organization (UNESCO). (2004). *International Migration Convention*. Retrieved July 2, 2005, from [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=1513&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=1513&URL_DO=DO_TOPIC&URL_SECTION=201.html)  
*An explanation of the progress of the convention is provided. It goes point by point over what was asked for and what States have problems with. There is also a history of the ratification process.*

United Nations General Assembly. (December 8, 1990). *International convention on the protection of the rights of all migrant workers and members of their families*. (A/RES/45/158). New York, NY: Author.  
*This convention focuses on the laws concerning the protection of the rights of all migrant workers and members of their families. It takes into account the principles contained in the basic instruments of the UN about human rights; particularly, the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention on the Rights of the Child.*

Usher, Erica. (2005). Millennium Development Goals and Migration. *International Organization for Migration*, 20.  
*This paper discusses the linkages between migration and the Millennium Development Goals, with specific focus on poverty alleviation, gender, health, environmental sustainability and global partnerships. There is a noticeable gap in research and analysis on how migration is linked to attaining the Millennium Development Goals. However as the available evidence shows, there is clearly no simple cause and effect relationship between migration and the achievement of the MDGs.*

Walker, D. (2001, January). Statistics show immigration beneficial to economy. *The Guardian*. Retrieved August 7, 2005, from <http://society.guardian.co.uk/asylumseekers/story/0,7991,430329,00.html>  
*Walker makes a case for migrant workers in the economy of the host country. The article examines the United Kingdom's economy and the impact that migrant workers have in it. There is also a historical look at migrant workers in the UK.*

Williams, Allan, & Balaz, Vladimir. (2005). What Human Capital, Which Migrants? Returned Skilled Migration to Slovakia from the UK. *The International Migration Review*, 39(2), 439-469.  
*This article contributes to the understanding of skilled labor migration by exploring some of the differences in the economic behavior of three contrasting groups of returned skilled labor migrants from Slovakia to the United Kingdom: professionals and managers; students; and au pairs. Formal professional experiences and training provide only limited understanding of the value of working/studying abroad. Instead, there is a need to look at particular competences, such as interpersonal skills and self-confidence, as well as the role of social recognition. The empirical results also emphasize the importance of spatiality and temporality when analyzing skilled labor migration*

Wolffers, Ivan, Verghis, Sharuna, & Malu, Marin. (2003). Migration, Human Rights, and Health. *The Lancet*, 362 (9400), 2019.  
*Migrants, especially those without documents, generally have limited access to health facilities and resources in their new countries. Public-health programs usually mirror official government policies, and public-health processes can be used to control migration. Health-care workers report a wide range of diseases under the Prevention and Control of Infectious Diseases Act, which can lead to migrants with HIV infection and other notifiable diseases being deported.*

## **II. Understanding the Effects of Economic Sanctions on a Disadvantaged Population**

Addis, Adeno. (2003). Economic Sanctions and the Problem of Evil. *Human Rights Quarterly*, 25(3), p. 573-625.

*As economic sanctions have proliferated, their use has come under intense challenge. Critics differ on why they are uneasy about economic sanctions, but they are united on one crucial point: they assume that the sole justification for sanctions is behavior modification of the target regime. This article disputes that assumption and argues that sanctions are also processes through which the sanctioning community (agent) defines its identity through the act of dissociating itself from the target regime, the "troublesome or evil other." Critics as well as supporters of sanctions have often not understood this fact and consequently their analyses have been highly incomplete and very misleading.*

Annan, Kofi. (2000). *Secretary General reviews lessons learned during the 'sanction decade' in remarks to international peace academy seminar.* Retrieved August 20, 2005, from

<http://www.un.org/News/Press/docs/2000/20000417.sgsm7360.doc.html>

*This speech is Secretary General Annan's comments on the sanction decade at an international peace seminar. The sanction decade is defined as a defining characteristic of the Security Councils post-cold war era. The speech also discusses the effect sanctions have on disadvantaged populations and how this can be curtailed by the Security Council and how sanctions are instituted.*

Association of Manufacturers. (2005). *Sanction Reform.* Retrieved July 11, 2005, from

[http://www.nam.org/s\\_nam/sec.asp?CID=473&DID=471](http://www.nam.org/s_nam/sec.asp?CID=473&DID=471)

*The Association of Manufacturers examines the history of the United States unilateral sanctions. This article reviews not only the history but multilateral sanctions imposed by the United Nations Security Council. It examines the ability, or inability, for unilateral sanctions to influence the sanctioned country. The article provides an idea for sanction reform that the Association of Manufacturers believe would lead to more effective sanctioning.*

Aznar-Gomez, Mariano J. (2002). A decade of human rights protections by the UN Security Council: A sketch of deregulation. *European Journal of International Law*, 13(1), p. 223-242.

*The last decade of sanctions began with the most comprehensive set of measures against Iraq, most of which remain in force despite the fact that they have not resolved the 'Iraq problem.' This paper explores whether these trends show a tendency towards deregulation of Security Council's actions in defense of humanitarian rights. There is also a general exploration of human rights laws and how these were implemented by the Security Council.*

Bond, Theresa. (2003). The crackdown in Cuba. *Foreign affairs*, 82(5).

*Just as the interpretations of Castro's motivation have ranged across the spectrum, so have the reactions of US officials. Some policymakers, arguing that the embargo clearly no longer works, have called to have it lifted. Others have demanded it should be tightened. They suggest banning financial remittances from emigres in the US. Cuba's financial woes have been caused mostly by mismanagement, but the problems are real. Cuba's disastrous economic situation has grown so dire that merely acquiring enough food to eat has become a full-time preoccupation.*

Boutros-Ghali, Boutros. (1995). *An Agenda for Peace 1995.* New York, NY: United Nations Publishing.

*Former Secretary-General Boutros Boutros Ghali's paper An Agenda for Peace provided analysis and recommendations on ways to strengthen and improve the UN's capacity to maintain world peace. It was commissioned by the UN Security Council on January 31, 1992, at its first ever meeting at the level of heads of state. Originally, An Agenda for Peace was conceived and written in the aftermath of the end of the Cold War when the international community was optimistic that the resulting era of international cooperation would facilitate its peace activities through the UN. Such optimism was initially supported by the sudden and vast expansion in the number, size and scope of UN peace operations.*



- Certified Cuban Claims. (2005). *Federal legislation on Cuba*. Retrieved August 19, 2005, from [http://congress.nw.dc.us/cubanclaims/legislation\\_3cuban\\_demo.htm](http://congress.nw.dc.us/cubanclaims/legislation_3cuban_demo.htm)  
*Certified Cuban Claims offers a short review of the federal legislation. It gives an overview of the 1992 Cuban Democracy Act. The Cuban Democracy Act reinstalled the trade embargo and prohibited ships from entering Cuban ports.*
- Commission on Economic, Social, and Cultural Rights (CESCR). (2000, June 21). *The adverse consequences of economic sanctions on the enjoyment of human rights Working paper prepared by Mr. Marc Bossuyt*. (E/CN.4/Sub.2/2000/33). New York, NY: Author.  
 Mr Bossuyt's working paper provides both background on economic sanctions and, for a working paper, rather detailed recommendations on their use. He begins by outlining the various types of sanctions employed currently: economic sanctions (both trade and financial), travel sanctions, military sanctions, diplomatic sanctions and cultural sanctions. Paragraph 71 focuses on the eminent threat that the Security Council must perceive. It states that there must be international concern of a threat as well.
- Commission on Economic, Social, and Cultural Rights (CESCR). (1997, December 5). *The Relationship Between Sanctions and Respect for Economic, Social and Cultural Rights*. (E/C.12/1997/8). New York, NY: Author.  
*This resolution examined the human rights implications that happen during sanctions. Four conclusions were made in this comment. They were: they should always be limited in time; they most seriously affect innocent populations, especially the most vulnerable; they aggravate imbalances in income distribution; and they generate illegal and unethical business practices.*
- Garfield, Richard. (1999). The impact of economic sanctions on health and well-being. *Relief and Rehabilitation Network*, 31.  
*This paper reviews the impact of trade embargoes on health, health services and food security. The case studies also suggest that mothers and children are not the only vulnerable group, and that studying changes in the health and mortality of children under fives is more indicative than those of infants under one year old. It also examines that trade embargoes cause macroeconomic shocks and disruption on a scale that cannot be mitigated by humanitarian aid.*
- Global Policy Forum. (n.d.). *Iraq sanctions: Humanitarian implications and options for the future*. Retrieved August 20, 2005, from <http://www.globalpolicy.org/security/sanction/iraq1/2002/paper.htm#6>  
*Global Policy Forum examines the United Nations policy on sanctions in Iraq. In this paper there is a review of the humanitarian crisis that has happened due to the sanctions. It also examines the history of the oil-for-food program and the causes of suffering in Iraq. The paper also examines smart sanctions and offers policy recommendations.*
- Hufbauer, Gary C., Elliott, Kimberly A., Cyrus, Tess & Winston, Elizabeth. (1997). *U.S. Economic Sanctions: Their Impact on Trade, Jobs, and Wages*. Washington, DC: Institute for International Economics.  
*This study aims to empirically measure the impact of economic sanctions on bilateral trade flows. The intent of trade sanctions is of course to reduce trade--exports or imports or both. Financial sanctions may also reduce trade by denying investment, foreign exchange or credit to the target country or by raising its cost of credit. The paper offers imperial evidence of the impact sanctions have.*
- Hufbauer, Gary C., Schott, Jeffrey J. & Elliott, Kimberly A. (1990). *Economic Sanctions Reconsidered: History and Current Policy*. Washington, DC: Institute for International Economics.  
 This study chronicles and examines 170 cases of economic sanctions imposed since World War I. Fifty of these cases were launched in the 1990s. Analyzing a range of economic and political factors that can influence the success of a sanctions episode, the authors distill a set of "commandments" to guide policy makers in the effective use of sanctions.

Joyner, Christopher C. (2003). United Nations Sanctions after Iraq: Looking Back to See Ahead. *Chicago Journal of International Law*, 4(2).

*The UN's thirteen-year-old sanctions regime against Iraq marked a watershed development in the application of economic coercion by the UN. These measures became the most economically devastating on their targeted citizenry, as well as the most politically controversial among human rights advocates. Here, Joyner assesses both the impact of these sanctions on the economy and society of Iraq and the lawfulness of Security Council sanctions application in light of international humanitarian law.*

Lopez, George & Cortright, David. (2002). Smartening under sanctions. *The World Today*, 58(3).

*Just as economic sanctions appear to have become the coercive instrument of choice for the United Nations in the decade since the Gulf War, there has been increasing concern as to their effect -- whether upon the civilian population within target states or upon the economic interests of historic trading partners. Such concerns have now found their way into policy-making within the United Nations and elsewhere, leading to the development of a new orthodoxy: the future of sanctions lies in their being made 'smart', 'targeted' and hedged with 'humanitarian exemptions'. This article seeks to outline the strands of this new policy initiative and evaluate its implications.*

No Author. (1991). Sanctions and their effect on employment in South Africa. *International Labor Review*, 130(5), p. 657-672.

*Even prior to the concentrated application of sanctions against South Africa in the mid-1980s, unemployment was a serious and escalating problem generated by cyclical, demographic, and deep-seated structural factors. Since 1984, the problem has become more acute, and jobs are being lost in most formal nonagricultural sectors, with the exceptions of services and government. Economic growth rates have fluctuated around zero, and fixed investment by both the public and private sectors is at very low levels.*

United Nations. (1945). *United Nations Charter*. Retrieved July 12, 2005, from <http://www.un.org/aboutun/charter/>

*The United Nations Charter is the constitution of the United Nations. It was signed at the United Nations Conference on International Organization in San Francisco on June 26, 1945 by the 50 original member countries. It entered into force on October 24, 1945, after being ratified by the five founding members.*

United Nations Security Council. (2001, September 28). *Anti-terrorism*. (S/RES/1373). New York, NY: Author.

*The anti-terrorism resolution from the Security Council reviews international cooperation to combat threats to international peace and security. It reviews older documents and gives a brief description of what has been done in the past. There are other measures mentioned that influence smart sanctions. This involves the freezing of funds in banks and assisting with other economic resources.*

United Nations Security Council. (1995, April 14). *Permit the import of petroleum and petroleum products originating in Iraq, as a temporary measure to provide for humanitarian needs of the Iraqi people*. (S/RES/986). New York, NY: Author.

*This resolution creates the oil-for-food program in Iraq. It had the goal of providing temporary humanitarian aid to Iraqi citizens. One of the goals was to give equitable humanitarian aid to all citizens.*

United Nations Security Council. (2002, May 14). *The situation between Iraq and Kuwait*. (S/RES/1409). New York, NY: Author.

*This resolution provides procedures for the implementation of the Goods Review List and Notification or Request to Ship Goods to Iraq application form. It authorizes states to apply to the good list review immediately to assist the citizen of Iraq.*

- Ville de Goyet, Claude. (1996). Humanitarian assistance in Haiti. *World Health*, 49(6).  
*When economic sanctions were imposed on Haiti, the World Health Organization's (WHO) mandate was to ensure that public health should not be the main casualty in the process of restoring democracy.*
- Wagner, Alex. (2002). Security Council moves closer to adopting Iraqi 'smart sanctions.' *Arms Control Today*, 32(1).  
*The UN Security Council took a step closer to implementing a "smart sanctions" regime in Iraq on Nov 29, 2001 by unanimously agreeing to adopt a once-contentious Goods Review List, which aims to streamline the process of selling civilian goods to Baghdad. This article provides an analysis of smart sanctions and a brief history and definition of them.*
- World Health Organization. (1996). *Health conditions of the population in Iraq since the Gulf Crisis*. (WHO/EHA/96.1). Geneva, Switzerland: Author.  
*This document gives an in depth analysis of the health conditions in Iraq. It covers the main topics ranging from food to child nutrition to malaria. The document also examines the pre-sanction Iraq and the changes that have been made. There is an attempt to use quantitative methods to prove the changes in Iraq since the sanctions.*

### **III. The Marginalization of Education on a Global Level**

- Amnesty International. (n.d.). *Rights – Education – Action Programme*. Retrieved September 1, 2005, from <http://web.amnesty.org/pages/hre-reap-eng>  
*Amnesty International works on international human rights issues. This web page focuses on their right to education program. The right to education program works on the basic educational rights around the world with a particular emphasis on women and children.*
- Birdsall, Nancy & Vaishnay, Milan. (2005). Education and the MDGS: Realizing the Millennium Compact. *Journal of International Affairs*, 58(2), p. 257-265.  
*Explicit in the MDG compact is a clear division of labor between rich and poor countries. Developing countries pledge to improve their policies, provide for more transparent and representative governance, and increase accountability to their citizens. In exchange for improvements in domestic practices, developed countries pledge to provide greater financial resources to poor countries and reform their own policies in important areas such as development assistance, debt relief and international trade. One of the MDG education goals, Goal 2, stipulates that the world should achieve universal primary education for boys and girls by 2015. This paper examines goal 2.*
- Birdsall, Nancy, Ibrahim, Amina, & Gupta, Geeta. (2004). Interim report on achieving the Millennium Development Goal of universal primary education. *Millennium Project Task force on Education and Gender Equality*. Retrieved July 10, 2005, from <http://www.unmillenniumproject.org/documents/tf3edinterim.pdf>  
*This interim report for the United Nations' Millennium Project Task Force on Education and Gender Equality focuses on this question, providing a review of existing knowledge and suggesting strategic priorities for technical agencies, developing and donor countries. In order to achieve universal primary education and gender parity in education, fundamental change and transformation of institutions is needed as opposed to evolution and gradual change.*
- Babadji, Ramdane. (2000). Legal foundations for the right to education. *EIP publications*.  
*This paper examines the legal right to education. There is a historical review of previous conventions followed by a section on current short-comings. There is a primary review of past conferences and current initiatives and how they effect the international framework.*

- Committee on Economic, Social and Cultural Rights (CESCR). (1999). *Fundamental Questions Concerning the Implementation of the International Covenant on Economic, Social and Cultural Rights. Draft.* (HR/CESCR/NONE/1999/13). New York, NY: Author.  
*Comments are delivered on the implementation of the Covenant. The draft copy offers more questions and concerns about the general implementation while the final copy offers much more concise discussion to the matter with fewer questions. Methods to implement the Covenant are discussed.*
- Concern Worldwide. (2005). *Education*. Retrieved September 1, 2005, from <http://www.concern.net/overseas/programmefocus/education.php>  
*Concern Worldwide is an NGO that has education as one of their issues. In this program there are many different directions that the NGO pursues to ensure access to education. They have a basic education program and four others that assist in meeting their mission.*
- Duodo, Cameron. (2005). Betrayed by lemons. *New African*, 441.  
*Comments on several issues relevant to education in Africa in 2005. Social-justice and human rights aspects relevant to education; Complexities of the African educational system; Implications on education and education policy.*
- No Author. (2003). News report by the United Nations special rapporteur on the right to education. *Literacy as freedom*. Retrieved July 10, 2005, from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=16710&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=16710&URL_DO=DO_TOPIC&URL_SECTION=201.html)  
*This report enumerates the cost and problems that impede the right to education. It discusses the role of the special rapporteur. There is also much discussion of the remedies to the education problem.*
- Otieno, Alex. (2005). Studying the Millennium Development Goals. *United Nations Chronicle*, 41(4).  
*Otieno believes that the UN Millennium Development Goals (MDGs) can be a component of quality global education at all levels. How MDGs can be employed in university education is discussed.*
- Staley, Lynn. (2005). An Update From the United Nations. *Childhood Education*, 81(3).  
*This is a review of the United Nations DPI meeting with NGOs in 2005. It gives an overview of civil society involvement with MDG achievement. Statistics and other information on child hood education are also provided.*
- Skrbic, Mirna. (2005). Girls just want to go to school. *Transitions*.  
*Access to education--even to simple primary schooling--is severely limited for some young Bosnians, and girls are at a particular disadvantage. This article reviews educational blocks for girls around the world and with a special emphasis in Bosnia. It offers stories and statistics to show the difficulty and disparity between boys and girls.*
- Task force on education and gender equality. (2005). *Toward universal primary education: investments, incentives, and institutions*. Retrieved July 12, 2005, from [http://www.unmillenniumproject.org/reports/tf\\_education.htm](http://www.unmillenniumproject.org/reports/tf_education.htm)  
*This report identifies the shortcomings of education systems in many developing countries and emphasizes the changes in institutional arrangements and incentives that are critical if new investments and other interventions are to work. The report discusses two strategies which are identified to increase and improve educational opportunities: increasing access and retention addressing both demand and supply side constraints; and creating improved institutions, increasing transparency and providing better incentives.*
- UNICEF. (1999). *State of the World's Children, Education*. Retrieved August 08, 2005, from <http://www.unicef.org/sowc99/sowc99a.pdf>  
*The State of the World's Children 1999 report tells the stories of a world community unwilling to accept the consequences of illiteracy or to be denied the human right to a quality education. With*

*the Convention on the Rights of the Child as a guiding framework, governments, policy makers, educators, community leaders, parents and children themselves are advancing an education revolution. Their goal—Education For All.*

United Nations Education, Scientific, and Cultural Organization (UNESCO). (1960, December 14). *Convention against Discrimination in Education*. Retrieved July 10, 2005, from [http://www.unhchr.ch/html/menu3/b/d\\_c\\_educ.htm](http://www.unhchr.ch/html/menu3/b/d_c_educ.htm)

*This convention discusses the discrimination in education and works on a preventative method. In it, Member States agree to work against discrimination in education.*

United Nations Educational, Scientific, and Cultural Organization (UNESCO). (2004). *Gender and education for all: Leap to equality*. Retrieved July 10, 2005, from [http://portal.unesco.org/education/en/ev.php-URL\\_ID=23023&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/education/en/ev.php-URL_ID=23023&URL_DO=DO_TOPIC&URL_SECTION=201.html)

*During the Dakar World Education Forum (2000), all countries committed to eliminating gender disparities in primary and secondary education by 2005. Are these goals achievable? Will the achievement of equality in education lead to a general development of society? This report, by the United Nations Educational, Scientific and Cultural Organization, monitors the progress towards the goals set in Dakar, links equality in education and improved livelihood and sets out strategies to remove the existing gender gap.*

United Nations Education, Scientific, and Cultural Organization (UNESCO). (1966, October 5). *Recommendation Concerning the Condition of Teachers*. Retrieved July 10, 2005, from [http://portal.unesco.org/en/ev.php-URL\\_ID=13084&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=13084&URL_DO=DO_TOPIC&URL_SECTION=201.html)

*UNESCO inaugurated World Teachers' Day on 5 October 1994 to celebrate and commemorate the signing of the Recommendation Concerning the Status of Teachers on 5 October 1966.*

United Nations General Assembly. (2000, September 18). *United Nations Millennium Declaration*. (A/Res/55/2). New York, NY: Author. Retrieved July 11, 2005, from <http://www.un.org/millennium/declaration/ares552e.pdf>

*A global agenda agreed upon by leaders of national governments assembled at the United Nations Millennium Summit of September 2000, identifying specific goals for addressing the following issues: extreme hunger and poverty, universal primary education, gender equality, child mortality, maternal health, infectious diseases, environmental sustainability, and global partnerships for development. The United Nations Millennium Development Goals are eight goals that all 191 UN member states have agreed to try to achieve by the year 2015. The United Nations Millennium Declaration, signed in September 2000 commits the states to: Reduce by half the proportion of people living on less than a dollar a day\*Reduce by half the proportion of people who suffer from hunger.*

United Nations General Assembly. (1989, November 20). *Convention on the rights of the child*. Retrieved July 19, 2005, <http://www.unhchr.ch/html/menu3/b/k2crc.htm>

*Prior to the Convention on the Rights of the Child, human rights standards applicable to all members of the human family had been expressed in legal instruments such as covenants, conventions and declarations, as did standards relating to the specific concerns of children. But it was only in 1989 that the standards concerning children were brought together in a single legal instrument. The body of rights enumerated in the Convention are the rights of all children everywhere.*

United Nations General Assembly. (1976, January 3). *International Covenant on Economic, Social and Cultural Rights*. Retrieved July 11, 2005, from [http://www.unhchr.ch/html/menu3/b/a\\_cescr.htm](http://www.unhchr.ch/html/menu3/b/a_cescr.htm)

*The Covenant on Economic, Social, and Cultural Rights closely echoes many of the declaration's original provisions. States that ratified it obligated themselves to respect and implement a long list of rights provisions. These included: the right to self-determination; the right to work; the right to safe and healthy working conditions; the right to unionize; the right to strike; the right to social security and social insurance; the right of special protection for pregnant women, recent mothers, and children from economic exploitation; the right to adequate food, clothing, and housing; and*

*even the right to attain a high standard of physical and mental health. Furthermore, the covenant listed specific activities that ratifying states must undertake as a means of safeguarding these rights.*

World Conference on Education for All. (1990, March 9). *World Declaration on Education for All*. Retrieved July 12, 2005, from [http://www.unesco.org/education/efa/ed\\_for\\_all/background/jomtien\\_declaration.shtml](http://www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml)  
*In 1990, delegates from 155 countries, as well as representatives from some 150 organizations agreed at the World Conference on Education for All in Jomtien, Thailand (5-9 March 1990) to universalize primary education and massively reduce illiteracy before the end of the decade.*

World Education Forum. (2000, April 28). *Dakar framework of actions*. Retrieved July 12, 2005, from [http://www.unesco.org/education/efa/wef\\_2000/index.shtml](http://www.unesco.org/education/efa/wef_2000/index.shtml)  
*The World Education Forum (Dakar, Senegal, April 2000) was the first and most important event in education at the dawn of the new century. By adopting the Dakar Framework for Action, the 1,100 participants of the Forum reaffirmed their commitment to achieving Education for All by the year 2015 and entrusted UNESCO with the overall responsibility of coordinating all international players and sustaining the global momentum.*

# **Rules of Procedure**

## **Committee on Economic, Social and Cultural Rights**

### INTRODUCTION

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

### I. SESSIONS

#### *Dates of convening and adjournment*

##### **Rule 1**

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

#### *Place of Sessions*

##### **Rule 2**

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

### II. AGENDA

#### *Provisional agenda*

##### **Rule 3**

The provisional agenda shall be drawn up by the Secretary-General and communicated to members of the United Nations at least 60 days before the opening of the session.

#### *Adoption of the agenda*

##### **Rule 4**

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

*The vote described in this rule is a procedural vote and as such, observers are permitted to cast a vote. For purposes of this rule, “those present and voting in the Committee” means those delegates, including observers, in attendance at the session during which this motion comes to vote*

#### *Revision of the agenda*

##### **Rule 5**

During a session, the Committee may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during a session. Permission to speak on a motion to revise the agenda shall be accorded only to three representatives in favor of, and three opposed to, the revision. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the

opening of a session, may be placed on the agenda if the Committee so decides by a two-thirds majority of the members present and voting.

*For purposes of this rule, the determination of an item's "important and urgent character" is subject to the discretion of the Secretariat, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Committee 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 that member (not including observers) in attendance at the session during which this motion comes to vote.*

### III. SECRETARIAT

#### ***Duties of the Secretary-General***

##### **Rule 6**

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

#### ***Duties of the Secretariat***

##### **Rule 7**

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

#### ***Statements by the Secretariat***

##### **Rule 8**

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

#### ***Selection of the Chairperson***

##### **Rule 9**

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

#### ***Replacement of the Chairperson***

##### **Rule 10**

If the Chairperson is unable to perform his/her function, a new Chairperson shall be appointed for the unexpired term at the discretion of the Secretary-General.

### IV. LANGUAGES

#### ***Official and working language***

##### **Rule 11**

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

#### ***Interpretation***

##### **Rule 12**

Any representative wishing to address any United Nations body or submit a document in a language other than English must provide 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 translation must be within the set time limit.*



## **Quorum**

### **Rule 13**

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

*For purposes of this rule, “members of the Committee” and “members of the body” are based on the number of total members (not including observers) in attendance for the Tuesday night session*

## **General powers of the Chairperson**

### **Rule 14**

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

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

### **Rule 15**

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

## **Points of order**

### **Rule 16**

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

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

### **Rule 17**

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

## **Speeches**

### **Rule 18**

1. No one may address the Committee without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Committee, and the Chairperson may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
3. When debate is limited and a speaker exceeds the allotted time, the Chairperson shall call him or her to order without delay.

*In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, if the Chairperson determines that the Committee in large part does not want to*

*deviate from the limits to the speaker's time as it is then set, and that any additional motions will not be well received by the body, the Chairperson, in his or her discretion, and on the advice and consent of the Secretariat, may rule as dilatory any additional motions to change the limits of the speaker's time.*

### ***Additional Speaking Time Allotted to NGOs***

#### **Rule 19**

All non-governmental organizations (NGOs) participating in the Committee will be allotted one minute per NGO at the beginning of debate on each agenda topic to speak to that specific agenda topic. Similarly, each NGO will also be allowed one minute at the end of debate on an agenda item and prior to voting on draft report segments to speak to that specific agenda topic.

Non-governmental organizations are not required to use the speaking time specifically given to them at the beginning of debate on agenda topics or prior to voting on documents relating to that topic. This rule does not alter a NGOs right to participate in the list of speakers discussed in Rule 18.

### ***Closing of list of speakers***

#### **Rule 20**

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 Chairperson may announce the list of speakers and, with consent of the Committee, declare the list closed. When there are no more speakers, the Chairperson shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Committee.

*The decision to announce the list of speakers is within the discretion of the Chairperson and should not be the subject of a motion by the Committee. A motion to close the speaker's list is within the purview of the Committee and the Chairperson should not on his own motion move the body.*

### ***Right of reply***

#### **Rule 21**

If a remark impugns the integrity of a representative's State, the Chairperson may permit a 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 rights of reply shall be made in writing addressed to the Secretariat and shall not be raised as a point or motion. The Reply shall be read to the body 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.*

### ***Suspension of the meeting***

#### **Rule 22**

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.

### ***Adjournment of the meeting***

#### **Rule 23**

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

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

### ***Adjournment of debate***

#### **Rule 24**

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

If adjournment of debate occurs on a given agenda topic, the rights of NGOs to speak for one minute at the end of debate (per Rule 19) will not be afforded to NGOs on that particular agenda topic which has been adjourned.

### ***Closure of debate***

#### **Rule 25**

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Committee favors the closure of debate, the Committee shall move to vote on all proposals introduced under that agenda item immediately following the speeches by NGOs on that agenda topic (see Rule 19).

### ***Order of motions***

#### **Rule 26**

Subject to rule 21, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

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

### ***Proposals and amendments***

#### **Rule 27**

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the representatives present who would like the Committee to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Committee unless copies of it have been circulated to all delegations. The Chairperson 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 body for all purposes, including subsequent amendments.

*For purposes of this rule, "representatives present" is based on the number of total representatives (including observers) in attendance for the Tuesday night session. For purposes of this rule, all "proposals" shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Committee by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of that working paper. 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/report. After approval of a working paper, the proposal becomes a draft resolution/report and will be copied by the Secretariat for distribution to the Committee. These draft resolutions/reports are the collective property of the Committee, and as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.*

### ***Withdrawal of motions***

#### **Rule 28**

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

### ***Reconsideration of a topic***

#### **Rule 29**

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

*For purposes of this rule, “those present and voting” mean those representatives, including observers, in attendance at the session during which this motion comes to vote.*

## **V. VOTING**

### ***Voting rights***

#### **Rule 30**

Each member of the Committee shall have one vote.

*This section 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.*

### ***Request for a vote***

#### **Rule 31**

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

*For purposes of this rule, “proposal” means any draft resolution/report, an amendment thereto, or a portion of a draft resolution/report divided out by motion. Just prior to a vote on a particular proposal or motion, the Chairperson 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 vote.*

### ***Majority required***

#### **Rule 32**

1. Unless specified otherwise in these rules, decisions of the Committee 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 session during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.*

### ***Method of voting***

#### **Rule 33**

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

*Only those members, who designate themselves as “present” or “present and voting” during the attendance roll call or in some other manner communicate their attendance to the Chairperson and/or Secretariat, are permitted to*

*vote, and as such, no others will be called during a roll call vote. Any representatives replying “pass,” must, on the second time through respond with either “yes” or “no.” A “pass” cannot be followed by a second “pass” for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment*

2. When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by the show of placards and a recorded vote shall replace a roll call. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall dispense with the procedure of calling out the names of the members.

3. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

### ***Explanation of vote***

#### **Rule 34**

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 the Chairperson 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 Chairperson immediately after voting on the topic has come to an end.

### ***Conduct during voting***

#### **Rule 35**

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

### ***Division of proposals and amendments***

#### **Rule 36**

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 Chairperson where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

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

### ***Amendments***

#### **Rule 37**

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

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

### ***Order of voting on amendments***

#### **Rule 38**

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.*

***Order of voting on proposals***

**Rule 39**

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

***The Chairperson shall not vote***

**Rule 40**

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

VII. CREDENTIALS

***Credentials***

**Rule 41**

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

**Rule 42**

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

VIII. PARTICIPATION OF NON-MEMBERS OF THE COMMITTEE

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

**Rule 43**

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

X. MINUTE OF SILENT PRAYER OR MEDITATION

***Invitation to silent prayer or meditation***

**Rule 44**

Immediately after the opening of the first meeting of the Committee, representatives may request to observe one minute of silence dedicated to prayer or meditation. This is the only time this motion will be entertained and its approval is at the discretion of the Secretariat.

**NMUN RULES OF PROCEDURE - SHORT FORM**  
**LISTED IN ORDER OF PRECEDENCE**

<b>Motion</b>	<b>Purpose</b>	<b>Debate</b>	<b>Vote</b>
Point of Order	Correct an error in procedure	None	None
Appeal of the Chair	Challenge a decision of the Chair	None	Majority
Suspension of the Meeting	Recess meeting	None	Majority
Adjournment of the Meeting	End meeting	None	Majority
Adjournment of Debate	End debate without a substantive vote	2 pro / 2 con	Majority
Decision of Competence	Declare committee unable to consider issue or resolution	None	Majority
Closure of Debate	Move to immediate vote	2 con	2/3
Declare an Important Question (applicable in GA Plen only)	Require all substantive actions to obtain a 2/3 majority to pass	2 pro / 2 con	Majority
Amendments and 1 <sup>st</sup> Vote on Divisions of the Question	Vote on sections separately, prior to voting on the entire resolution	2 pro / 2 con	Majority
Roll Call Vote	Vote by roll call, rather than show of placards	None	None
Reconsideration	Re-open debate on an issue	2 con	2/3
Set the Speakers time	Set or change the speakers time limit	2 pro / 2 con	Majority
Close the Speakers list (also applies to re-opening list)	No additional speakers added to speakers list on topic	None	Majority
Adoption of the Agenda	Approval of agenda order	None	Majority

## DIVISION OF THE QUESTION DIAGRAM

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