

# BACKGROUND GUIDE

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## NATIONAL MODEL | UNITED NATIONS | 2017

The World's Largest College Model United Nations

18 - 22 MARCH - SHERATON NEW YORK HOTEL

20 - 24 MARCH - NEW YORK MARRIOTT MARQUIS HOTEL

ORGANIZATION OF  
AMERICAN STATES (OAS)

WRITTEN BY:  
Alex Adriano  
Brianna Johnston

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

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## NMUN IMPORTANT DATES | 2010

**IMPORTANT NOTICE:** To make hotel reservations, you must use the forms at [www.nmun.org](http://www.nmun.org) and include a \$1,000 deposit. Discount rates are available until the room block is full or 18 February - WHICHEVER COMES FIRST. **PLEASE BOOK EARLY!**

**31 January 2007**

*(Wednesday)*

- Confirm Attendance & Delegate Count. (Count may be changed up to 1 March)
- Make Transportation Arrangements - DON'T FORGET!  
(We recommend confirming hotel accommodations prior to booking flights)

**15 February 2007**

*(Thursday)*

- Committee Updates Posted to [www.nmun.org](http://www.nmun.org)

**22 February 2007**

*(Thursday)*

- Discount Hotel Rates Expire. REGISTER EARLY - REGISTRATION IS FIRST-COME FIRST-SERVED
- Position Papers Due Via E-mail (*see next page for instructions*)

**1 March 2007**

*(Thursday)*

- Full Pre-Payment Due to Hotel
- Any Changes to Delegate Numbers Must be Confirmed to [eaton@nmun.org](mailto:eaton@nmun.org)
- All Conference Fees Due to NMUN for confirmed delegates. (\$100 per delegate if paid by 1 March; \$125 per delegate if received after 1 March. Fee is not refundable after this deadline)

**March 2007**

The 2007 National Model UN Conference

- 18 - 22 March - Sheraton New York
- 20 - 24 March - New York Marriott Marquis

TWO COPIES OF EACH POSITION PAPER SHOULD BE SENT VIA E-MAIL BY 22 FEBRUARY 2007

1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 22 February to the e-mail address listed for your particular venue. These e-mail addresses will be active after 15 November. Delegates should carbon copy (cc:) themselves as confirmation of receipt.

2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments. NOTE: This e-mail should only be used as a repository for position papers.
- The head delegate or faculty member sending this message should cc: him/herself as confirmation of receipt. (Free programs like Adobe Acrobat or WinZip may need to be used to compress files if they are not plain text.)
- Because of the potential volume of e-mail, only one e-mail from the Head Delegate or Faculty Advisor containing all attached position papers will be accepted. *Please put the school or delegation's name in the subject line.* If you have any questions, please contact the Director-General at dirgen@nmun.org.

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OTHER USEFUL CONTACTS:

Entire Set of Delegation Position Papers (due 22 February):	positionpapers.sheraton@nmun.org
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# THE 2007 NATIONAL MODEL UNITED NATIONS

SPONSORED BY THE NATIONAL COLLEGIATE CONFERENCE ASSOCIATION

New York City, 18-22 March (Sheraton) & 20-24 March (Marriott) • [www.nmun.org](http://www.nmun.org)

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November 2006

Dear Delegates,

On behalf of the Directors, Assistant Directors, Senior and Executive Staffs, and the National Collegiate Conference Association, we would like to take this time to welcome officially you to the 2007 National Model United Nations Conference. Our staff has worked most diligently throughout the year to provide you with what we believe are outstanding preparation materials for your participation in this year's conference. It is our sincere hope that these materials serve you well in your preparation for March.

We are also very excited about the dual venues of this year's conference. While the second venue has posed challenges, we believe it will act as an effective method in greater facilitation of delegation and faculty member needs. The addition of Deputy Chiefs of Staff for both venues will also allow us to assist further you during the course of the conference. Should you find that you need assistance of any type throughout the week of your venue participation, please feel free to call on any member of staff, as they are all trained to be of assistance to and best facilitate you, our valued participants. It is important to remember that, although the conference is divided into two venues, the continuity of the conference remains intact for the 2007 conference. No one venue is more important than the other and our staff has been trained to ensure this continuity as well.

This manual has been provided as a resource for your preparation for the 2007 conference. In it you will find answers to many pressing questions delegates and faculty may have about the conference and delegate preparation. To continue further the educational aspect of the conference, we are pleased to announce that we have introduced several new committees this year. In an attempt to place greater emphasis on the promotion of the preservation of our global environment, we have introduced the simulation of the International Hydrological Programme and the United Nations World Tourism Organization, which will focus on environmental issues that take great priority on the United Nations agenda. In addition, we are simulating the International Criminal Tribunal for the Former Yugoslavia, which we believe will be an extremely interesting simulation for delegates at both venues. We are very excited about these variations, as we believe that they will provide very interesting and educational experiences for their participants.

We are also very excited to not only provide more educational materials regarding the environment this year, but also in taking great strides to promote its protection during the course of both venues. Our first effort to this end is only to provide electronic copies of all conference materials, thus greatly reducing the incredible amount of paper the conference uses every year. The background guides that are sent out each year use an incredible amount of paper that could easily be saved. We are also committed to using only recycled paper during the course of the conference, as well as recycling the paper that is used in each committee of both venues. Our conference T-shirts this year will use only environmentally friendly inks and a portion of the proceeds of their sale will go to an environmental charity. It is the firm belief of this year's staff that, in order to promote our sincere goals of further protection of our planet, we must first practice what we preach. We are extremely proud of all efforts we are taking to preserve our planet in any method we can.

Please note that all position papers must be sent, via electronic mail, to two individual addresses this year. One copy of your papers, as a whole, must be sent to your delegations appropriate venue (either [positionpapers.sheraton@nmun.org](mailto:positionpapers.sheraton@nmun.org) or [positionpapers.marriott@nmun.org](mailto:positionpapers.marriott@nmun.org)). This address will serve as a depository for all papers submitted to each venue. We, the Directors-General, will maintain a database of all submitted papers, which will be crosschecked against the individual submissions. The individual committee papers should be sent to the email addresses included on the front page of your committee background guides. It is very important that all directions for emailing these guides, as outlined in both the background guides and in the Delegate Prep guide, be followed. With the dual venues, we are making every effort possible to ensure that their proper committee Directors receives all papers. We also recommend that delegations carbon copy themselves on all electronic submissions to ensure proper tracking of your position papers. Should any delegation require any assistance in the delivery of their papers, please contact us, as we will be happy to facilitate any problems that may arise in this process.

We sincerely look forward to meeting and working with you at the upcoming conference. We both have worked hard to do what we can to provide you with the materials you need to have an amazing experience in March. Should you find that you have any questions regarding the published materials, parliamentary procedure, delegate preparation, or the rules of the conference, please do not hesitate to contact us. We are happy to be of assistance in any way that we can. Our primary goal is to provide you with an outstanding educational experience.

Sincerely yours,

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## History of the Organization of American States

The Organization of American States (OAS) was founded in 1948 in Bogota, Colombia, and is the world's oldest regional body and a successor to the Pan-American Union (PAU), a body founded in 1890.<sup>1</sup> The organization has roots dating to the Congress of Panama in 1826, where delegates from the States of Greater Colombia, Chile, Peru, Argentina, Mexico, and what was then the State of Central America met to discuss security in the Americas.<sup>2</sup>

Three treaties form the mandate of the OAS: the *American Treaty of Pacific Settlement (Pact of Bogota)*, the *Inter-American Treaty of Reciprocal Assistance (Rio Treaty)* and the *OAS Charter*.<sup>3</sup> The *Pact of Bogota* (1948) outlined specific measures to be taken to peacefully settle disputes among parties to the treaty, including such means as adjudication, arbitration, conciliation, diplomacy, good offices, investigation, and mediation.<sup>4</sup> The predecessor of the *Pact of Bogota*, the *Treaty of Chapultepec* created a system to enforce mutual security in the region to last the duration of World War II.<sup>5</sup> Through this treaty, the focus of discussions of a more political nature among American states began.<sup>6</sup> The *Rio Treaty* resulted from the 1947 Inter-American Conference on Maintenance of Continental Peace and Security.<sup>7</sup> By incorporating elements of the two previous treaties, the *Rio Treaty* organized the Americas to “deal effectively with armed attacks and threats of aggression against member states; and to assure peace in the region through improved pacific settlement procedures.”<sup>8</sup> These efforts culminated in the *OAS Charter* at the Ninth Inter-American Conference of American States held in Bogota.<sup>9</sup>

The OAS is the only body focused entirely on the Western hemisphere, and as such operates as a regional agency within the United Nations (UN) System. The OAS has long held friendly relations with the United Nations. In the first article of the first section of the *OAS Charter*, the OAS is bound to further the purposes of the UN through such means promoting “by cooperative action, [the American States] economic, social, and cultural development; to eradicate extreme poverty [...] to achieve an effective limitation of conventional weapons.”<sup>10</sup>

Latin America remained “locked in a tumultuous cycle of dictators, civil wars and economic instability” for most of the 20<sup>th</sup> century. In 1981, more than half of the thirty-three States in the hemisphere were under a form of authoritarian rule.<sup>11</sup> However, by the early 1990s, all of the States had freely elected heads of state with the exception of Cuba, whose OAS membership has been suspended since 1962.<sup>12</sup> There are thirty-five official Member States with observers allowed to attend the various sessions with permission from the Permanent Council. Permitted observers are: Member States of the United Nations; representatives of Specialized Agencies of the United Nations or Inter-American regional or sub-regional bodies; and American governments that are not currently members of the United Nations.

Current Member States of the Organization of American States are: Antigua and Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and

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<sup>1</sup> British Broadcasting Corporation (BBC). (2005, May 3). *Profile: Organization of American States*. Retrieved July 11, 2006 [http://news.bbc.co.uk/2/hi/americas/country\\_profiles/4441597.stm](http://news.bbc.co.uk/2/hi/americas/country_profiles/4441597.stm).

<sup>2</sup> Shaw, Carolyn M. (2005). *Cooperation, conflict, and consensus in the Organization of American States*. (2005). Palgrave Macmillan, New York, New York, p.43-46.

<sup>3</sup> *Ibid.*, p. 42.

<sup>4</sup> *Ibid.*, p. 57.

<sup>5</sup> *Ibid.*, p. 52.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*, p. 54.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*, p.55.

<sup>10</sup> Charter of the Organization of the American States, 1948, 119 U.N.T.S. 3..

<sup>11</sup> Coverdell, Paul. (2000, April). *A new vision for the Americas*. Retrieved July 11, 2006 from [http://www.cfr.org/publication/3624/new\\_vision\\_for\\_the\\_americas.html](http://www.cfr.org/publication/3624/new_vision_for_the_americas.html).

<sup>12</sup> BBC, *supra* note 1.

Tobago, United States of America, Uruguay, and Venezuela.<sup>13</sup> While Cuba is a member of OAS, the participation of the current Cuban government in activities of the organization has been suspended.<sup>14</sup>

Permanent Observers to the Organization of American States are: Algeria, Angola, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Equatorial Guinea, Estonia, European Union, Finland, France, Georgia, Germany, Ghana, Greece, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Kazakhstan, Republic of Korea, Latvia, Lebanon, Luxembourg, Morocco, Netherlands, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine, United Kingdom, Yemen.<sup>15</sup>

The OAS has undergone significant evolution throughout its existence; however, the organization continues to remain primarily concerned with issues of security, maintaining the original principle of “continental solidarity” and “collective self-defense” as stated in Article 29 of the *OAS Charter*, which also references the various other special treaties on the subject.<sup>16</sup> That said, significant progress has been made to increase the scope and effectiveness of its humanitarian, economic and development efforts. According to a recent report from a meeting of experts to determine means to strengthen OAS:

“the OAS [...] is the core institution for addressing regional issues [...]. No other organization has the necessary credibility and mandate to bring together the collective influence of the hemisphere’s countries to resolve disputes among member states, encourage compromise among governments on salient regional issues, credibly monitor national government performance on sensitive concerns, and press countries to change course when they violate hemispheric norms.”<sup>17</sup>

The *OAS Charter* establishes the main organs of the OAS as well as provides the mandate of these organs. OAS organs are the General Assembly, the Meeting of Consultation of Ministers of Foreign Affairs, the Councils, the Inter-American Juridical Committee, the Inter-American Commission on Human Rights, the General Secretariat, the Specialized Conferences, and the Specialized Organizations.<sup>18</sup> For the sake of brevity, the mandates of these committees will not be discussed here, but delegates may find reading the relevant sections of the *OAS Charter* useful in becoming more familiar with the OAS structure.

The OAS has developed a unique position as a supporter of democracies throughout the Western hemisphere. OAS evolved from the PAU in response to the threat of communism, and as such, its *Charter* proclaimed all signatories were “convinced that representative democracy is an indispensable condition for the stability, peace and development of the region.”<sup>19</sup> An important aspect of support for democratic governance among the Americas is for instance the role of OAS as an election observer. In 1990, the OAS General Assembly created the Unit for the Promotion of Democracy (UPD).<sup>20</sup> This unit is responsible for “helping members to develop solid, transparent, and efficient political institutions and by promoting a democratic political culture in the societies of the Americas.”<sup>21</sup> Through this, the UPD has monitored all aspects of the election process in more than twenty States, from the registration process, campaigning, the voting process, and verification of electoral results.<sup>22</sup> Another source of support for Western democracies is *Resolution 1080*.<sup>23</sup> *Resolution 1080* gives the OAS Permanent Council the

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<sup>13</sup> OAS, (2005, December 23). *Member States and Permanent Missions*. Retrieved July 24, 2006 from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/memberstates.asp>.

<sup>14</sup> *Ibid.*

<sup>15</sup> OAS, (2005, December 23). *List of Permanent Observer countries*. Retrieved July 24, 2006 from [http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.der.oas.org/list\\_observers.html](http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.der.oas.org/list_observers.html).

<sup>16</sup> Charter of the Organization of the American States, *supra* note 10.

<sup>17</sup> Capeda, et al. (June 2006). *Responding to the hemisphere’s political challenges report of the Inter-American Dialogue Task Force on the Organization of American States*. Retrieved July 11, 2006 from [http://www.thedialogue.org/publications/2006/summer/OAS\\_2006.pdf](http://www.thedialogue.org/publications/2006/summer/OAS_2006.pdf).

<sup>18</sup> Charter of the Organization of the American States, *supra* note 10.

<sup>19</sup> Charter of the Organization of the American States, *supra* note 10.

<sup>20</sup> Shaw, *supra* note 2, p.154.

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

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

<sup>23</sup> OAS. (1991, June 5). *Representative democracy* (AG/Res/1080). Washington DC: Author.

responsibility of acting, within the abilities of the *OAS Charter*, in the event of a coup against the democratically elected government in any of the Member States. *Resolution 1080* has been invoked four times since passing the General Assembly in June of 1991. Those four times are in the cases of Haiti (1991), Peru (1992), Guatemala (1993), and Paraguay (1996).<sup>24</sup> Reflecting on these examples, delegates should understand the unique role of the OAS in bringing together its Member States and seek to further the aims of this organization.

## I. Special Security Concerns of Small Island States

*Our vulnerability is manifold. Physically, we are subject to hurricanes and earthquakes; economically, to market decisions taken elsewhere; socially, to cultural penetration; and politically, to the machinations of terrorists, mercenaries, and criminals.*<sup>25</sup>

### **Introduction**

During the decades preceding the fall of the Soviet Union (USSR), security concerns in the Caribbean were largely traditional in nature, and pertained to over-militarization, super-power intervention, and national instability.<sup>26</sup> Such concerns have in the past warranted two episodes of collective action. The first action came as the United States (US), joined by forces from some six Caribbean States, intervened in Grenada to prevent the rise of socialist-communism in that country. In 1994, the US, acting under the auspices of the United Nations (UN), intervened to restore the rule of the democratically elected government in Haiti.<sup>27</sup> After 1991, the world's remaining super-power, the US, shifted its interest to other areas of the globe, with the exceptions of a few situations, such as the Haiti intervention. At the same time, the possibility of inter-State conflict in the Caribbean has greatly diminished, allowing heads of State to re-think the meaning of regional and national security at the dawn of the 21<sup>st</sup> century.<sup>28</sup>

In the post-Cold War period, security in the Caribbean has been largely analyzed in terms of the particular vulnerabilities that characterize the small island States in the region.<sup>29</sup> These vulnerabilities pose non-traditional threats to small island States in the Caribbean, in light of their fragile economic viability as well as their susceptibility to natural and man-made disasters, both which at times are the cause of large-scale population displacement and migration.<sup>30</sup> Moreover, the strategic location of these island States places them in the middle of international drug and arms-trafficking routes, as well as other forms of transnational organized crime associated with these activities.<sup>31</sup> The conjunction of the aforementioned vulnerabilities poses very specific challenges to small island States in the Caribbean.

### **Small Island Developing States in the Caribbean**

Small island developing States (SIDS) have been identified by the UN as a special group of countries with specific challenges derived from their geographic nature. As a follow up to the 1992 UN Conference on Environment and Development, a Global Conference on Sustainable Development of SIDS was held in 1994, eventually adopting the *Barbados Programme of Action*, which remains to this day the most comprehensive set of recommendations aimed

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<sup>24</sup> United States Department of State. *Background Notes: OAS*. United States Department of State: Washington DC.

<sup>25</sup> Barbadian Prime Minister Lloyd Erskine Sandiford's remarks, in "Communiqué and Addresses: Eleventh Meeting of the Heads of Government of the Caribbean Community." *CARICOM Perspective 49* (July-December), special supplement.

<sup>26</sup> Griffith, Ivelaw L. (1995). Caribbean Security: Retrospect and Prospect. *Latin American Research Review*, vol. 30 No 2 (Summer), 3.

<sup>27</sup> Desch, Michael & Dominguez, Jorge; Serbin, Andres. (1998). *From Pirates to Drug Lords: the Post-Cold War Caribbean Security Environment*. Albany: State University of New York Press, p. 1.

<sup>28</sup> Rojas-Aravena, Francisco. (2000). The New Security Agenda in the Caribbean: The Challenge of Cooperation. In J. S. Tulchin & R. H. Espach (Eds.), *Security in the Caribbean Basin: The Challenge of Regional Cooperation* (pp. 65-81). Boulder, CO: L. Rienner Publishers, p. 65.

<sup>29</sup> Griffith, *supra*, note 26, p. 3.

<sup>30</sup> Rojas-Aravena, *supra*, note 28, p. 68.

<sup>31</sup> Griffith, Ivelaw L. (2000). Drugs and the Emerging Security Agenda in the Caribbean. In J. S. Tulchin & R. H. Espach (Eds.), *Security in the Caribbean Basin: The Challenge of Regional Cooperation* (pp. 137-150). Boulder, CO: L. Rienner Publishers, p. 138.

at improving living conditions in SIDS.<sup>32</sup> These recommendations address several of the issues faced by SIDS, from prevention and mitigation strategies in face of the rise of sea levels, to the promotion of national and regional initiatives aimed at disaster mitigation, preparedness, and management.<sup>33</sup>

The UN list of SIDS contains island States as well as low-lying coastal countries that share some of the following challenges: small population, lack of resources, remoteness, susceptibility to natural disasters, and vulnerability to abrupt developments in the global economy (usually due to the single-commodity dependency of these countries).<sup>34</sup> Based on these characteristics, the UN identifies the following 16 UN Member States in the Caribbean basin (as well as seven territories) as SIDS: Antigua and Barbuda, the Bahamas, Barbados, Belize, Cuba, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago.<sup>35</sup>

### ***The Organization of American States and the Special Security Concerns of Small Island States***

For 10 years the Organization of American States (OAS) has adopted several resolutions and declarations pertaining to the special security concerns of small island States.<sup>36</sup> As early as 1996, the OAS General Assembly passed a resolution on the promotion of security in the small island States, which acknowledged the need for a holistic approach to security issues that included “economic, social and natural dimensions,” in addition to traditional military aspects.<sup>37</sup> In 1997, another resolution was passed on the Special Security Concerns of Small Island States, which further elaborated on these concerns, namely “illegal trafficking in narcotics and arms, increased levels of crime and corruption, environmental and economic vulnerabilities relating to trade, susceptibility to natural disasters, transportation of nuclear waste, and increased levels of poverty.”<sup>38</sup>

As the OAS General Assembly continued throughout the years to adopt resolutions on this issue, two High-Level meetings on the special security concerns of small island states were held, first in San Salvador, which adopted the 1998 *Declaration of San Salvador on confidence Building Measures*, and the second in Saint Vincent and the Grenadines, which adopted the 2003 *Declaration of Kingston on the Security of Small Island States*.<sup>39</sup> The *Declaration of Kingston* is the most current and comprehensive set of recommendations on this topic, and it predictably includes measures addressing yet another rising area of concern in the Caribbean: international terrorism.

On May 2003, the OAS held a Special Conference on Security in Mexico, adopting the *Declaration on Security in the Americas*.<sup>40</sup> The Declaration underscored the multidimensional nature of security, and provided additional recommendations on the many security challenges already mentioned, as well as newer ones, such as terrorism, health-related issues (such as the HIV/AIDS pandemic), and trafficking in human beings.

### ***The Security Concerns of Small Island States in the Caribbean***

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<sup>32</sup> United Nations Department of Economic and Social Affairs. (2006). *Small Island Developing States (SIDS)*. Retrieved July 11, 2006, from <http://www.un.org/esa/sustdev/sids/sids.htm>.

<sup>33</sup> United Nations. (1994). *Report of the Global Conference on the Sustainable Development of Small Island Developing States*. New York: United Nations. Retrieved July 26, 2006, from <http://www.un.org/documents/ga/conf/167/aconf167-9.htm>.

<sup>34</sup> *Ibid.*

<sup>35</sup> United Nations Department of Economic and Social Affairs. (2006). *Who are the SIDS*. Retrieved July 11, 2006, from <http://www.un.org/esa/sustdev/sids/sidslist.htm>.

<sup>36</sup> For the full text of these Resolutions please refer to the OAS Web site’s documentation section, available at <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/documents.asp>.

<sup>37</sup> Organization of American States. (1996). *AG/RES. 1410 (XXVI-O/96): Promotion of Security in the Small Island States*. Washington, D.C.: OAS. Retrieved July 11, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>.

<sup>38</sup> Organization of American States. (1997). *AG/RES. 1497 (XXVII-O/97): Special Security Concerns of Small Island States*. Retrieved July 11, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>.

<sup>39</sup> The official documentation pertaining to both high-level meetings can be found in the appropriate section of the OAS Committee on Hemispheric Security Web site, available at <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>.

<sup>40</sup> For more information on the OAS Special Conference on Security visit the Conference Web site, at <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>.



### *National and Transnational Organized Crime*

As noted in the Secretary-General's report to the 2005 World Summit, *In Larger Freedom*, transnational organized crime represents one of the greatest challenges to international peace and security in the 21<sup>st</sup> century.<sup>41</sup>

Transnational organized crime takes many different forms, from the trafficking in human beings, to small arms or illicit drugs. In the UN System, the contact agency for crime related matters is the UN Office on Drugs and Crime (UNODC), which was created in 1997 in order to better coordinate UN efforts towards a holistic approach to the many facets and aspects of transnational organized crime, from drug production and abuse, to money laundering, corruption, and terrorism.<sup>42</sup> The UNODC comprises the UN International Drug Control Programme (UNDCP), as well as the UN Crime Programme, and acts under the directives set by General Assembly Resolutions, as well as the work of the UN Commission on Narcotic Drugs (CND) and the UN Commission on Crime Prevention and Criminal Justice (CCPCJ).<sup>43</sup>

The UNODC also hosts the UN Global Programme against Transnational Organized Crime which assists Member States in their ratification and implementation of the *UN Convention against Transnational Organized Crime*, which entered into force on September 2003.<sup>44</sup> At the regional level, the OAS is in the process of adopting its *Plan of Action against Transnational Organized Crime*.<sup>45</sup> Moreover, the Caribbean Community (CARICOM) has its own Regional Task Force on Crime and Security tasked with examining and proposing integrated approaches to the transnational challenges faced by CARICOM Member States.<sup>46</sup>

### *Regional and International Drug Problem*

Transnational organized crime has been of concern to the international and Caribbean communities for decades.<sup>47</sup> In the Caribbean the issue has often taken the form of trafficking in illicit drugs and other crimes associated with it, such as trafficking in arms and money laundering.<sup>48</sup> The geographical nature of the countries in the region alone provide an immense border-patrol challenge, which allied to the scarce resources available, contributes to the abuse of the region by non-State actors wishing to conduct illicit business.<sup>49</sup> As Ivelaw Griffith notes, the geographic location of these countries also places them in the middle of major drug supply sources (throughout Latin America) and demand destinations (such as the United States and Europe).<sup>50</sup>

The international community as a whole has recognized the many aspects of the international drug problem on various occasions. The most recent of these efforts has been the 1998 Special Session of the UN General Assembly devoted to the World Drug Problem. The outcome document of the Special Session, the *Political Declaration on the Guiding Principles of Drug Demand Reduction* enumerates an array of initiatives to be taken by 2008, in order to curb and reduce drug supply sources as well as drug abuse and demand.<sup>51</sup> These initiatives range from public

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<sup>41</sup> United Nations. (2005). *A/59/2005: In Larger Freedom: Towards Development, Security and Human Rights for All*. New York: United Nations, p. 24. Retrieved July 27, 2006, from <http://www.un.org/largerfreedom/contents.htm>.

<sup>42</sup> United Nations Office on Drugs and Crime. (2006). *About Us*. Retrieved July 11, 2006, from <http://www.unodc.org/unodc/en/about.html>.

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

<sup>44</sup> United Nations Office on Drugs and Crime. (2006). *The United Nations Convention against Transnational Organized Crime and its Protocols*. Retrieved July 12, 2006, from [http://www.unodc.org/unodc/en/crime\\_cicp\\_convention.html#final](http://www.unodc.org/unodc/en/crime_cicp_convention.html#final).

<sup>45</sup> Organization of American States. (2006). *AG/RES. 2189 (XXXVI-O/06): Fighting Transnational Organized Crime in the Hemisphere*. Retrieved July 12, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/36AG/>.

<sup>46</sup> CARICOM. (2006). *CARICOM Regional Task Force on Crime and Security*. Retrieved July 12, 2006, from [http://www.caricom.org/jsp/community/regional\\_issues/crime\\_and\\_security.jsp?menu=community](http://www.caricom.org/jsp/community/regional_issues/crime_and_security.jsp?menu=community).

<sup>47</sup> Griffith, Ivelaw. (1997). *Drugs and Security in the Caribbean: Sovereignty Under Siege*. University Park, PA : Pennsylvania State University Press, p. 1-2.

<sup>48</sup> Griffith, *supra*, note 26, p. 20.

<sup>49</sup> Griffith, *supra*, note 31.

<sup>50</sup> *Ibid.*, p. 139.

<sup>51</sup> United Nations Office on Drugs and Crime. (2006). *Drug Abuse and Demand Reduction*. Retrieved July 11, 2006, from [http://www.unodc.org/unodc/en/drug\\_demand\\_reduction.html](http://www.unodc.org/unodc/en/drug_demand_reduction.html).

awareness campaigns aimed at reducing drug use and demand, to alternative crop development in poor countries, aimed at reducing the production of illicit drugs.<sup>52</sup>

The CND and the UNODC Drug Control Programme remain the UN focal points in providing guidance and assistance to Member States struggling with drug trafficking problems. At the regional level the OAS Inter-American Drug Abuse Control Commission (CICAD), established in 1986, is the main focal point for action against drug abuse and production in the Americas.<sup>53</sup> Both the UNDCP and CICAD work with Member States to implement the three main international drug-related agreements in force: the 1961 *Single Convention on Narcotic Drugs*, the 1971 *Convention on Psychotropic Substances*, and the 1988 *Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances*.

### *The Illicit Traffic in Small Arms and Light Weapons*

The challenge posed by transnational organized crime in the region goes beyond the regional drug problem. The illicit traffic in arms also poses a serious threat to the countries in the region, particularly in light of their often weak law enforcement and criminal justice systems.<sup>54</sup> At the Second Ministerial Conference on Defense of the Americas, held in Bariloche, Argentina, in October 1996, several Defense Ministers noted the link between drug and arms trafficking in the region, with one noting the “sophistication of weapons and equipment that criminal organizations are bringing into the area and the urgent need for prevention in this regard.”<sup>55</sup> As of 2005, the number of firearm-related homicides in the Latin American and Caribbean region was “five times higher than the world average.”<sup>56</sup>

The OAS has been at the forefront of international action against illicit arms trafficking. Whereas at the international level, the international community is guided by the Programme of Action of the 2001 *UN Conference on the Illicit Traffic in Small Arms and Light Weapons in All Its Aspects*, OAS Member States are guided by the legally-binding *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials* (CIFTA) which entered into force on July 1998.<sup>57</sup> On March of 2004, the First Conference of States Party to CIFTA took place in Bogotá, Colombia, adopting at its outset the *Declaration of Bogotá*, which outlines several areas in need of improvement for the implementation of CIFTA throughout the region, from mutual legal assistance to capacity-building issues.<sup>58</sup>

### *Terrorism*

Most recently, the threat of international terrorism has been added to the plethora of challenges facing the security of small island States in the Caribbean. As noted by Matthew Schroeder, certain Latin American groups have been in contact with international terrorist and criminal organizations, from the Japanese Red Army, to the Basque Euskadi Ta Askatasuna (ETA) and the Provision Irish Republic Army (PIRA).<sup>59</sup> These connections illuminate the potential for international criminal and terrorist networks to make use of relatively weak law enforcement capabilities in the Caribbean basin. Moreover, Caribbean and Latin American leaders have already expressed their concern with the

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<sup>52</sup> United Nations. (1998). *Guiding Principles: Political Declaration of Drug Demand Reduction and Measures to Enhance International Cooperation to Counter the World Drug Problem*. New York: United Nations. Retrieved July 26, 2006, from [http://www.unodc.org/pdf/report\\_1999-01-01\\_1.pdf](http://www.unodc.org/pdf/report_1999-01-01_1.pdf).

<sup>53</sup> Inter-American Drug Abuse Control Commission. (2006). *About CICAD*. Retrieved July 11, 2006, from <http://www.cicad.oas.org/EN/AboutCICAD.asp>.

<sup>54</sup> Rojas-Aravena, *supra*, note 28, p. 71.

<sup>55</sup> *Ibid.*

<sup>56</sup> Sanchez, Marcela. (2005). Disarming Latin America. *Washington Post* Thursday, February 17, 2005. Retrieved July 11, 2006, from <http://www.washingtonpost.com/ac2/wp-dyn/A32864-2005Feb17?language=printer>.

<sup>57</sup> Organization of American States. (Opened for Signature 1997, 14 November). *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*. Washington, D.C.: OAS. Retrieved July 11, 2006, from <http://www.oas.org/juridico/english/signs/a-63.html>.

<sup>58</sup> Organization of American States. (2004). *Final Report of the Conference of the States Party of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*. Retrieved July 11, 2006, from [http://www.fas.org/asmp/campaigns/smallarms/cifta\\_meetingfinalreport07Oct05.pdf](http://www.fas.org/asmp/campaigns/smallarms/cifta_meetingfinalreport07Oct05.pdf).

<sup>59</sup> Schroeder, Matthew. (2004). *Small Arms, Terrorism and the OAS Firearms Convention*. Washington, D.C.: Federation of American Scientists, p. 12-13. Retrieved July 11, 2006, from <http://www.fas.org/asmp/library/OAS/FullReport.pdf>.

possibility of a terrorist attack on ships transporting hazardous waste (particularly nuclear waste) in transit through the region, and the catastrophic effects of this or any other terrorist actions for the tourism industry on which so many of the small island States depend.<sup>60</sup>

At the international level the UN has adopted many resolutions, guidelines and conventions relating to the issue of international terrorism.<sup>61</sup> Most recently, international efforts have involved the *International Convention for the Suppression of the Financing of Terrorism*, as well as UN Security Council Resolution 1540, aimed at preventing access to weapons of mass destruction (WMDs) by terrorist organizations or individuals. On April 2006, UN Secretary-General Kofi Annan released a report that outlined the new UN-sponsored initiative against international terrorism, based on five pillars of action: dissuading discontented groups from resorting to terror tactics, denying terrorists the means to carry out attacks, deterring States from supporting terrorism, developing State capacity to prevent terrorism, and defending human rights while conducting a worldwide campaign against terrorism.<sup>62</sup> At the regional level, the OAS adopted in 2002 the *Inter-American Convention Against Terrorism*. The Convention provides for increased regional cooperation, as well as several measures to combat the financing of terrorist activities in the region, from increased banking regulations to enhanced information sharing mechanisms between appropriate national law enforcement agencies.<sup>63</sup> In the Inter-American system regional action against terrorism is mainly developed and carried out by the OAS Inter-American Committee against Terrorism, which provides OAS Member States with legal assistance, as well as training on border-security and information-sharing measures.<sup>64</sup>

#### *Illegal Immigration and Smuggling of Migrants*

As noted by Jorge Duany, migration and security had for decades been disconnected, but by the late 1990s the issue of illegal migration was “rivaled only by the illegal drug trade as a policy issue debated by government officials, journalists, and academics.”<sup>65</sup> As some legislatures in the region debate different proposals to address the issue of immigration, one must only look at recent headlines to perceive the growing nature of the migration question. More recently, the issue of illegal immigration has been aggravated by the growing practice of trafficking of migrant workers, which has grown to become one of the most lucrative illegal transnational criminal activities in the region.<sup>66</sup>

Currently, the main international instrument that addresses the smuggling of migrants is the *UN Convention against Transnational Organized Crime* and its *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, which defines both the trafficking in human beings as well as the smuggling of migrants, and establishes different mechanisms for international cooperation on this issue.<sup>67</sup> In addition to the Convention and its Protocol, the UNODC sponsors the Global Programme against Trafficking in Human Beings, which aims to “shed light on the causes and processes of migrant smuggling and trafficking in persons, and promote the development of effective responses to these problems.”<sup>68</sup>

#### *Money Laundering and Corruption*

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<sup>60</sup> These concerns have been officially noted in paragraphs of the *Declaration of Kingston*, of the Second High-Level Meeting on the Special Security Concerns of Small Island States, available online at <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>.

<sup>61</sup> For a good overview of the many initiatives undertaken by the United Nations against terrorism refer to the UN Action Against Terrorism Web site at <http://www.un.org/terrorism/>.

<sup>62</sup> United Nations. (2006). *Uniting against Terrorism: Recommendations for a Global Counter-terrorism Strategy*. New York: United Nations. Retrieved July 26, 2006, from <http://www.un.org/unitingagainstterrorism/sg-terrorism-2may06.pdf>.

<sup>63</sup> Organization of American States. (2002). *Inter-American Convention Against Terrorism*. Retrieved July 11, 2006, from [http://www.oas.org/xxxiiiga/english/docs\\_en/docs\\_items/AGres1840\\_02.htm](http://www.oas.org/xxxiiiga/english/docs_en/docs_items/AGres1840_02.htm).

<sup>64</sup> Inter-American Committee Against Terrorism. (2006). *Our Mission*. Retrieved July 11, 2006, from <http://www.cicte.oas.org/English/index.htm>.

<sup>65</sup> Duany, Jorge. (2000). The Fear of Illegal Aliens: Caribbean Migration as a National and Regional Security Threat. In J. S. Tulchin & R. H. Espach (Eds.), *Security in the Caribbean Basin: The Challenge of Regional Cooperation* (pp. 97-117). Boulder, CO: L. Rienner Publishers, p. 98.

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

<sup>67</sup> United Nations Office on Drugs and Crime. (2006). *Trafficking in Persons: Global Patterns*. Vienna: UNODC, p. 49. Retrieved July 26, 2006, from [http://www.unodc.org/pdf/traffickinginpersons\\_report\\_2006ver2.pdf](http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf).

<sup>68</sup> *Ibid.*, p. 48.

Two cross-cutting issues permeate all discussions on the combat of transnational organized crime: money laundering and corruption.<sup>69</sup> Currently, international efforts against money laundering are guided by the 40 Recommendations of the G-8-sponsored Financial Action Task Force (FATF) against Money Laundering, which provides guidance and technical assistance to States wishing to tackle the issue of money laundering.<sup>70</sup> In addition to the FATF's guidelines, both the *UN Convention against Transnational Organized Crime* and the *UN Convention against Corruption* provide mechanisms for States to address these issues.<sup>71</sup> In a recent U.S. International Narcotics Control Strategy Report, 17 of the 58 jurisdictions of primary concern for money laundering activities were located in the Caribbean and the Americas.<sup>72</sup> As a deterrent to money laundering activities, many regions of the world have established regional and sub-regional versions of the FATF. Thirty countries in the Caribbean basin have banded together and established the Caribbean Financial Action Task Force in order to "implement common countermeasures to address the problem of criminal money laundering."<sup>73</sup>

### ***Small Island States' Vulnerability to Natural and Man-made Disasters***

As identified by many policy-makers, scholars and analysts another major security concern for small island States is their vulnerability to natural and man-made disasters.<sup>74</sup> As noted by Ivelaw Griffith, environmental conservation issues have become increasingly important to small island States worldwide.<sup>75</sup> In the Caribbean these issues take the form of "greater demands on coastal zone management, the fragility of water resources and the risk of contamination, toxic dumping, rain-forest depletion, waste management, population pressures (except in Guyana and Belize), hurricanes, earthquakes, and other natural disasters, and the predicted rise in sea levels due to global warming."<sup>76</sup>

As noted by Mark Pelling and Juha Uitto, "of the 25 countries that suffered the greatest number of natural disasters during the 1970s and 1980s, 13 were small island developing states."<sup>77</sup> According to these authors, small island States derive their vulnerability from the following factors: their small size and remoteness, environmental factors, limited disaster mitigation capability, demographics, and their fragile economic structures.<sup>78</sup>

It is widely accepted that two of the many potentially adverse effects of global climate change are the rise in sea-level and an increased occurrence of natural disasters, both which would have catastrophic effects on small island States.<sup>79</sup> The international community adopted, as an outcome of the 1992 UN Conference on Environment and Development, the *UN Framework Convention on Climate Change* (UNFCCC).<sup>80</sup> On February 2005, more than seven years following its adoption, the *Kyoto Protocol* to the UNFCCC entered into force, providing an internationally agreed mechanism for reduction in green house gas emissions.<sup>81</sup> The UNFCCC has a special fund for SIDS. As of July 2001, the Global Environmental Facility, the UN's primary disbursement mechanism for

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<sup>69</sup> United Nations Office on Drugs and Crime. (2006). *Global Programme against Money Laundering*. Retrieved July 26, 2006, from [http://www.unodc.org/unodc/money\\_laundering.html](http://www.unodc.org/unodc/money_laundering.html).

<sup>70</sup> Financial Action Task Force. (2006). *About the FATF*. Retrieved July 12, 2006, from [http://www.fatf-gafi.org/pages/0,2966,en\\_32250379\\_32236836\\_1\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/pages/0,2966,en_32250379_32236836_1_1_1_1_1,00.html).

<sup>71</sup> Bureau for International Narcotics and Law Enforcement Affairs. (2006). *International Narcotics Control Strategy Report - Volume II: Money Laundering and Financial Crimes*. Washington, D.C. Retrieved July 12, 2006, from <http://www.state.gov/p/inl/rls/nrcrpt/2006/vol2/html/>.

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

<sup>73</sup> Caribbean Financial Action Task Force. (2006). *CFATF Overview*. Retrieved July 12, 2006, from <http://www.cfatf.org/>.

<sup>74</sup> Griffith, *supra*, note 26, p. 25.

<sup>75</sup> *Ibid.*

<sup>76</sup> *Ibid.*

<sup>77</sup> Pelling, Mark & Uitto, Juha. (2001). Small Island Developing States: Natural Disaster Vulnerability and Global Change. *Environmental Hazards*, 3, p. 49.

<sup>78</sup> *Ibid.*, p. 50.

<sup>79</sup> UNFCCC. (2006). *Future Effects*. Retrieved July 12, 2006, from [http://unfccc.int/essential\\_background/feeling\\_the\\_heat/items/2905.php](http://unfccc.int/essential_background/feeling_the_heat/items/2905.php).

<sup>80</sup> For more information on climate change and climate change negotiations refer to the UNFCCC Web site at <http://unfccc.int/>.

<sup>81</sup> UNFCCC. (2006). *Kyoto Protocol*. Retrieved July 12, 2006, from [http://unfccc.int/essential\\_background/kyoto\\_protocol/items/2830.php](http://unfccc.int/essential_background/kyoto_protocol/items/2830.php).

environment-related aid, established an Adaptation Fund in order to help Member States prepare for some of the adverse effects of the climate change phenomenon.<sup>82</sup>

Whereas many scientists remain reluctant to attribute any proportion of recent increased occurrence of natural disasters to climate change, regional decision-makers have not waited on such scientific sanctions to launch initiatives to address the vulnerability of small island States to natural or man-made disasters.<sup>83</sup> In a 2000 survey, decision-makers in the Caribbean basin identified hurricanes and floods, followed by earthquakes, as the main hazards faced by their countries.<sup>84</sup> Moreover, these States have on more than one occasion strongly condemned the shipment of toxic waste and other substances through the region, as “any contamination of the Caribbean Sea, deliberate or accidental, would endanger human and marine habitation in the region and permanently injure the quality of life in the area.”<sup>85</sup> In order to promote a regional approach different regional coordination mechanisms have been established, such as the Caribbean Disaster and Emergency Response Agency (CDERA) and the Central American Center for Disaster Prevention (CEPREDENAC).<sup>86</sup> Most countries in the region have national and local offices for disaster mitigation and preparedness.<sup>87</sup> However under funded these national and regional efforts may be, international cooperation towards disaster prevention in the region continues, as exemplified by the recent launching by the Inter-American Development Bank and the Caribbean Development Bank of a Caribbean disaster prevention initiative.<sup>88</sup>

At the international level, the *Outcome Document* of the 2005 UN World Summit declared the intent of Member States:

To fully implement the Hyogo Declaration and the Hyogo Framework for Action 2005–2015 adopted at the World Conference on Disaster Reduction, in particular those commitments related to assistance for developing countries that are prone to natural disasters and disaster-stricken States in the transition phase towards sustainable physical, social and economic recovery, for risk-reduction activities in post-disaster recovery and for rehabilitation processes.<sup>89</sup>

Just as small island States are susceptible to international market fluctuations, they remain susceptible to irregular international aid flows, and as such, much remains to be done in order to turn the many recommendations of international plans and initiatives into concrete action in the Caribbean region.<sup>90</sup>

## **Conclusion**

Small island States in the Caribbean face a multitude of challenges that adversely affect their national and regional security. One of these challenges, transnational organized crime, presents itself in various forms and manifestations, thus requiring a truly holistic and multilateral approach with cooperation and coordination at the sub-regional, regional and international levels. The second main threat to these countries is their extreme vulnerability to the adverse effects of the changing international climate. Small island States in the region often do not have the resources to address these challenges. Therefore, it is crucial that OAS Member States find innovative solutions to these issues, and just as important, the source of funding for these solutions.

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<sup>82</sup> Pelling, *supra*, note 77, p. 61.

<sup>83</sup> Schipper, Lisa & Pelling, Mark. (2006). Disaster Risk, Climate Change and International Development: Scope for, and Challenges to Integration. *Disasters*. Mar. 30(1), p. 29. Retrieved July 14, 2006, from <http://www.blackwell-synergy.com/doi/pdf/10.1111/j.1467-9523.2006.00304.x>.

<sup>84</sup> International Strategy for Disaster Reduction. (2000). Association of Caribbean States (ACS): Assessment of ACS Countries' Disaster Management Projects, Weaknesses and Strengths. *ISDR informs – Latin America and the Caribbean*, Issue 2, 2000. Retrieved July 26, 2006, from [http://www.eird.org/eng/revista/No2\\_2001/pagina17.htm](http://www.eird.org/eng/revista/No2_2001/pagina17.htm).

<sup>85</sup> Griffith, *supra*, note 26, p. 26.

<sup>86</sup> International Strategy for Disaster Reduction, *supra*, note 84.

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

<sup>88</sup> Inter-American Development Bank. (2006, June 30). *IDB, CDB launch Disaster Prevention Initiative for the Caribbean*. Retrieved July 26, 2006, from <http://www.iadb.org/NEWS/articledetail.cfm?artid=3176&language=En>.

<sup>89</sup> United Nations. (2005). *A/RES/60/1: World Summit Outcome*. New York: United Nations. Retrieved July 12, 2006, from <http://www.un.org/summit2005/documents.html>.

<sup>90</sup> Pelling, *supra*, note 77, p. 61.

Small island States in the Americas face several interconnected security challenges. With these in mind, what can all Member States of the OAS do in order to address these challenges? How can existing international organizations and initiatives be implemented at the regional level, in order to counter the security concerns of these States? Moreover, how can these challenges best be addressed - at the national, sub-regional, regional or international level? In attempting to resolve these issues it is crucial that Member States take into account the various levels of regional and sub-regional cooperation in the Americas, as well as their various degrees of effectiveness, efficiency and success.

As States in the region attempt to resolve these many issues, one cross-cutting challenge remains: the lack of resources to implement the various agreements and initiatives, particularly by the fragile economies of small island States in the Americas. With this in mind, it remains crucial that OAS Member States continue to find innovative and holistic solutions to these challenges, as a failure to address one challenge can inadvertently affect the success of other initiatives aimed at promoting a secure environment for the sustainable development of the countries in the region.

## II. Organization of American States and Free Trade Areas

*All merchants may enter or leave...unharmd and without fear, and may stay or travel...by land or water, for purposes of trade, free from all illegal exactions, in accordance with ancient and lawful customs.<sup>91</sup>*

In the late 1980s, many Latin American States faced economic crises, and with States becoming more integrated economically, the world faced the possibility of an economic crisis in one State spreading to neighboring and other States.<sup>92</sup> This period in Latin American history became known as the “lost decade.”<sup>93</sup> During a conference held to address the crisis, the economist John Williamson coined the term “Washington Consensus” to describe a formula for launching economic development in any given State as advocated by the United States, and nearly all leading economists and journalists in the United States at the time.<sup>94</sup> The formula was seen as a universal prescription that could be used to bring any State to a reasonable level of development, regardless of the region or history of the State.<sup>95</sup> This “consensus” was aimed at bringing States in economic crisis to a more stable economic footing, and also to help developing States become developed States. The Consensus, as advocated by Williamson, included deregulation, privatization, trade liberalization, and liberalization of inward foreign direct investment (FDI), among other proposed reforms. Liberalization of trade and inward FDI in the context of the “Washington Consensus” played a powerful role in the trajectory of movements toward free trade in the Americas.

### ***NAFTA and Mexico***

Opening the home market for free trade brings great benefits to a society, including increased FDI, increased competition among home industries, and increased wealth to the state.<sup>96</sup> The effects of free trade on developing economies are best studied through Mexico, as the first state in the region to almost entirely open to Canadian and United States markets. Since the inception of the North American Free Trade Agreement (NAFTA), the average amount of foreign direct investment into Mexico increased over three times to \$13 billion.<sup>97</sup> Despite such benefits, free trade is not without consequences. In the Americas, this has meant changes in job distribution, especially

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<sup>91</sup> Magna Carta. (2006). In *the text of the Magna Carta*. Retrieved November 8, 2006, from Fordham University: <http://www.fordham.edu/halsall/source/magnacarta.html>.

<sup>92</sup> Cleft, Jeremy. (2003, September). Beyond the Washington consensus. *Finance and Development*. Retrieved July 11, 2006 from <http://www.imf.org/external/pubs/ft/fandd/2003/09/pdf/clift.pdf>.

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

<sup>94</sup> Williamson, John. (2003, September). From reform agenda to damaged brand name. *Finance and Development*. Retrieved July 11, 2006 from <http://www.imf.org/external/pubs/ft/fandd/2003/09/pdf/clift.pdf>.

<sup>95</sup> Blustein, Paul. (2005). *And the money kept rolling in (and out): Wall Street, the IMF, and the bankrupting of Argentina*. Public Affairs, New York, NY.

<sup>96</sup> Espinosa, et al. (2002, September/October). Happily ever NAFTA? *Foreign Policy*. Retrieved July 11, 2006 from [http://www.foreignpolicy.com/story/cms.php?story\\_id=2458](http://www.foreignpolicy.com/story/cms.php?story_id=2458).

<sup>97</sup> *Ibid.*

decreases in high quality jobs available, increases in informal sector jobs, the introduction of or an increase in competition with imports, and challenges concerning cooperation among various free trade agencies.<sup>98</sup> International Monetary Fund statistics show poverty across the Latin American region decreased from 1990-2000.<sup>99</sup> However, from 2000-2003, the poverty rates in the region gradually increased.<sup>100</sup> Clearly, statistics showing poverty rates and wage rates are inconclusive as they lack enough data or do not show enough of a pattern to establish conclusions. However, if Mexico serves as an example, the proportion of the population living in poverty rose from 51 percent in the year NAFTA began to 58 percent four years later.<sup>101</sup>

Limited evidence suggests that free trade agreements contribute adversely to income equality between persons in newly opened markets.<sup>102</sup> One study of Mexican wages from 1990 to 2000 shows that while the labor force increased after NAFTA took effect (coinciding with deregulation and other economic reforms enacted by the Mexican government), the hourly wage in Mexico in 1990 dollars fell from \$1.33 to \$1.11 for males, and for females from \$1.24 to \$1.13.<sup>103</sup> The same study also shows wage inequality among the Mexican population increased over the same period.<sup>104</sup> Because of this, labor groups have historically been antagonistic toward free trade movements in their States. Some employers in the United States pressure unions by threatening to move operations to Mexico and elsewhere if the unions will not make certain concessions during negotiations.<sup>105</sup>

Adopting the policies of the “Washington Consensus” has brought a degree of financial stability to the governments of Central and South America.<sup>106</sup> Yet, while opening markets may serve as a means to create a more stable and sustainable economic environment, this policy has failed to demonstrably reduce poverty rates in the long term.<sup>107</sup> Furthermore, as markets open, levels of labor productivity have increased to keep pace with foreign imports, without an increase in wages per hour.<sup>108</sup>

### ***Free Trade Agreements in the Americas***

The first community developed within the Americas with concern for free trade was the Latin American Free Trade Association (LAFTA), which came into being, with the cooperation of the United Nation’s Economic Commission for Latin America (ECLA), on February 18, 1960 with the Treaty of Montevideo. LAFTA envisioned two phases of participation for each Member States. The first phase called for States to create protectionist policies to grow infant industries and reach a respectable degree of development. Second, the economies of each State were to be integrated with a fully functioning free trade area forming at the end of this phase.<sup>109</sup> LAFTA failed due to varied interpretations of the 1960 Treaty of Montevideo, lack of interstate trade in the region, an unattainable schedule of trade concessions, and a lack of infrastructure.<sup>110</sup> LAFTA evolved into the Latin American Integration Association, (ALADI) in 1980, following the second Treaty of Montevideo.<sup>111</sup> The mission of ALADI is to “promote the creation of an area of economic preferences in the region, aiming at a Latin-American common market through three mechanisms: regional tariff preference, regional scope agreements among member countries, and partial scope

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<sup>98</sup> *Ibid.*

<sup>99</sup> Singh, Anoop, et al. (2005, February). Stabilization and reform in Latin America: A macroeconomic perspective on the experience since the early 1990s. Retrieved July 11, 2006 from <http://www.imf.org/external/pubs/ft/op/238/pdf/foreword.pdf>.

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

<sup>101</sup> *Ibid.*

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

<sup>103</sup> Hanson, G. H. (2004). *What has happened to wages in Mexico since NAFTA? Implications for hemispheric free trade*. In A. Estevadeordal, D. Rodrik, A. M. Taylor, & A. Velasco (Eds.), *Integrating the Americas: FTAA and beyond*, 505-537. Cambridge, Massachusetts: Harvard University.

<sup>104</sup> *Ibid.*

<sup>105</sup> Espinosa, *supra* note 96.

<sup>106</sup> Valenzuela, Arturo. (December 2005). Putting Latin America back on the map. *Finance and Development*. Retrieved July 11, 2006 from <http://www.imf.org/external/pubs/ft/fandd/2005/12.valenzue.htm>.

<sup>107</sup> *Ibid.*

<sup>108</sup> Espinosa, *supra* note 96.

<sup>109</sup> Porrata-Doria Jr., Rafael A. (2005). *MERCOSUR: The common market of the Southern cone*. Carolina Academic Press: Durham, North Carolina.

<sup>110</sup> *Ibid.*, p.13-14.

<sup>111</sup> Treaty Establishing the Latin American Integration Association (ALADI) (Treaty of Montevideo), August 12, 1980, 1329 U.N.T.S. 225, 20 ILM 672 (1981).

agreements.”<sup>112</sup> Membership to ALADI includes Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Mexico, Paraguay, Peru, Uruguay, and Venezuela.<sup>113</sup> LAFTA also gave birth to the Southern Cone Common Market (MERCOSUR), which will be discussed more in depth further in this guide.

Since LAFTA, various groups have formed to facilitate trade liberalization among member states. These groups are the Andean Community, the United States-Canada Free Trade Agreement, the Southern Cone Common Market (MERCOSUR), the North American Free Trade Agreement (NAFTA), the Group of Three, the United States-Dominican Republic-Central American Free Trade Agreement, and the Free Trade Area of the Americas (FTAA).

The Subregional Integration Agreement (later, the Cartagena Agreement) signed by representatives of the governments of Bolivia, Colombia, Chile, Ecuador, and Peru created the Andean Community on May 26, 1969 in Bogotá.<sup>114</sup> The agreement emphasized the import-substitution model, in contrast to free trade agreements. The import-substitution model calls for states to produce “goods or services which formerly were imported... [in] an attempt to utilize underused capacities, reduce regional unemployment, or protect infant industries,” often resulting in inefficiencies and higher prices.<sup>115</sup> Venezuela joined the agreement in 1973, while Chile withdrew in 1976. When growth and the economies of the respective Member States flagged in the 1980s, the organization was revised to focus more on trade liberalization and less on development via the 1987 Quito Protocol.<sup>116</sup> As the import-substitution model proved unsuccessful, the model was scrapped by the Andean Community (CAN).<sup>117</sup> CAN became a free trade area in 1993, and introduced a common external tariff in 1995.<sup>118</sup> Venezuela formally withdrew from the Andean Community April 22, 2006.<sup>119</sup> Current members of the Andean Community are Bolivia, Colombia, Ecuador, and Peru and observers include Mexico, Panama, and Chile.<sup>120</sup>

The United States-Canada Free Trade Agreement was entered into in 1989. The agreement sought to “eliminate barriers to trade...facilitate conditions of fair competition, liberalize significantly conditions for investment...[and] lay the foundation for further bilateral and multilateral cooperation to expand and enhance the benefits of the agreement.”<sup>121</sup> Built on the success of the United States-Canada Free Trade Agreement, NAFTA, by integrating Mexico as a partner, created the largest free trade area to date.<sup>122</sup> Implementation of NAFTA began January 1, 1994.<sup>123</sup> Key provisions of NAFTA are Chapter 19 and Chapter 11 which provide a system to resolve disputes between Member States and address disputes between governments and investors, respectively.<sup>124</sup> Under the agreement, trade has been almost completely duty free between the United States and Canada since 1998.<sup>125</sup> Trade between all parties of the agreement became almost completely free on January 2003.<sup>126</sup> The agricultural provisions of NAFTA are due to be implemented completely in 2008.<sup>127</sup> Mexico and Canada have entered into a separate

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<sup>112</sup> Latin American Integration Association (n.d.) *Overview*. Retrieved July 5, 2006 from <http://www.aladi.org/NSFALADI/SITIO.NSF/INICIO>.

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

<sup>114</sup> Andean Community. (n.d.) *Who are we? A brief history*. Retrieved July 5, 2006 from <http://www.comunidadandina.org/ingles/who.htm>.

<sup>115</sup> Krumme, Walter. (1999). *Economic geography glossary*. Retrieved July 24, 2006 from <http://faculty.washington.edu/krumme/gloss/i.html>.

<sup>116</sup> Andean Community, *supra* note 114.

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

<sup>119</sup> Andean Community. (n.d.). *A chronological sequence of events*. Retrieved July 13, 2006 from <http://www.comunidadandina.org/ingles/quienes/events.htm>.

<sup>120</sup> Andean Community, *supra* note 114.

<sup>121</sup> Canada-United States Free Trade Agreement. (Opened for signature 1988). City unknown, country unknown. Retrieved September 2, 2006 from <http://www.worldtradelaw.net/nafta/CUSFTA.pdf>.

<sup>122</sup> Foreign Affairs and International Trade Canada. (2006, February 21). *Canada and the North American Free Trade Agreement*. Retrieved July 13, 2006 from <http://www.dfait-maeci.gc.ca/nafta-alena/menu-en.asp>.

<sup>123</sup> United States Department of Agriculture Foreign Agriculture Service. (2006, June 30). *The North American Free Trade Agreement*. Retrieved July 11, 2006 from <http://ffas.usda.gov/itp/Policy/NAFTA/nafta.html>.

<sup>124</sup> Government of British Columbia. (n.d.) *North American Free Trade Agreement (NAFTA)-overview*. Retrieved July 24, 2006 from <http://www.ei.gov.bc.ca/ProgramsAndServices/Trade/NAFTA.htm>.

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

<sup>126</sup> *Ibid.*

<sup>127</sup> United States Department of Agriculture Foreign Agriculture Service. (2006, March). *Fact sheet: North American Free Trade Agreement*. Retrieved July 11, 2006 from <http://ffas.usda.gov/info/factsheets/NAFTA.asp>.



NAFTA agreement which eliminates most tariffs gradually, although tariffs on dairy, poultry, eggs, and sugar remain.<sup>128</sup>

The Group of Three was formed in 1994 with the Treaty on Free Trade Between the Republic of Colombia, the Republic of Venezuela and the United Mexican States.<sup>129</sup> The purposes of the agreement are “to stimulate the expansion and diversification of trade, eliminate barriers to trade and facilitate the movement of goods...promote conditions of fair competition...increase substantially investment opportunities, protect and enforce intellectual property rights, establish broad outlines for cooperation among the parties.”<sup>130</sup> Special attention is paid to agricultural products in the agreement.<sup>131</sup>

As negotiations regarding the Free Trade Area of the Americas have stalled, the United States has refocused its economic energies on pressuring States in the region to enter bilateral or multilateral free trade agreements with the United States.<sup>132</sup> One recent development on this front has been the ratification of the Central American Free Trade Agreement (CAFTA). On August 5, 2004, the Dominican Republic joined the United States-Central American Free Trade Agreement.<sup>133</sup> The agreement included the States of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua in addition to the United States and the Dominican Republic. The agreement opens the markets of the treaty’s parties to each other, and seeks to promote fair competition and eliminate trade barriers.<sup>134</sup> Negotiations regarding agricultural products were among the most contentious, as is frequently the case with trade liberalization negotiations.<sup>135</sup>

The Free Trade Area of the Americas (FTAA) is currently a proposed Western hemisphere-wide free trade agreement. The proposed FTAA negotiations are the most controversial trade discussions currently underway in the Americas. The movement toward the FTAA began at the First Summit of the Americas, held in Miami in 1994.<sup>136</sup> The resulting Declaration stated that:

*“key to prosperity is trade without barriers, without subsidies, without unfair practices, and with an increasing stream of productive investments...[which] will foster our economic growth...[and] enhance our domestic prosperity. Free trade and increased economic integration are key factors for raising standards of living, improving working conditions...and better protecting the environment.”*<sup>137</sup>

The United States has been a leading proponent of the FTAA, and has made the agreement a political priority for the last decade.<sup>138</sup> By 2001, progress toward a FTAA had resulted in the circulation of a preliminary draft FTAA agreement.<sup>139</sup> At the 1994 meeting, the governments involved pledged to conclude negotiations regarding a

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

<sup>129</sup> Treaty on Free Trade between the Republic of Colombia, the Republic of Venezuela, and the United States of Mexico. (Opened for signature June 13, 1994). Cartagena de Indias, Colombia. Retrieved September 2, 2006 from [http://www.sice.oas.org/trade/G3\\_E/G3EC1.asp](http://www.sice.oas.org/trade/G3_E/G3EC1.asp).

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

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

<sup>132</sup> McMahon, Robert. (2006, June 13.) *The rise in bilateral free trade agreements*. Retrieved August 7, 2006, from [http://www.cfr.org/publication/10890/rise\\_in\\_bilateral\\_free\\_trade\\_agreements.html](http://www.cfr.org/publication/10890/rise_in_bilateral_free_trade_agreements.html).

<sup>133</sup> United States Department of State. (n.d.). *Central American Free Trade Agreement-Dominican Republic*. Retrieved July 13, 2006 from [http://usinfo.state.gov/wh/americas/regional\\_trade/drafta.html](http://usinfo.state.gov/wh/americas/regional_trade/drafta.html).

<sup>134</sup> United States Trade Representative. (2004, August 5). *CAFTA-DR final text*. Retrieved July 11, 2006, from [http://www.ustr.gov/Trade\\_Agreements/Bilateral/CAFTA/CAFTA-DR\\_Final\\_Texts/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/CAFTA/CAFTA-DR_Final_Texts/Section_Index.html).

<sup>135</sup> Jurenas, Remy. (2004). *Agriculture in the US-Central American Free Trade Agreement (CAFTA)*. Retrieved August 7, 2006 from <http://www.cnie.org/nle/crsreports/briefingbooks/Agriculture/Agriculture%20in%20the%20US-Central%20American.htm>.

<sup>136</sup> OAS. (1994). *Miami Declaration*. Retrieved July 13, 2006 from <http://www.summit-americas.org/miamidec.htm>.

<sup>137</sup> *Ibid.*, par. 10.

<sup>138</sup> James, Deborah. (2004, November). *Summit of the Americas, Argentina: Tomb of the FTAA*. Retrieved August 7, 2006 from <http://www.globalexchange.org/campaigns/ftaa/3615.html>.

<sup>139</sup> OAS. (2001). *Quebec City Declaration*. Retrieved July 11, 2006, from <http://www.summit-americas.org/Documents%20for%20Quebec%20City%20Summit/Quebec/Declaration%20of%20Quebec%20City%20-%20Eng%20-%20final.htm>.

proposed FTAA by 2005.<sup>140</sup> However, negotiations are still in process at this time. One should note the tone taken by succeeding summits toward the FTAA. For example, the 1999 Summit Declaration makes no mention of the FTAA, reflecting fluctuations in support for the FTAA among OAS Members. The 2005 Summit of the Americas in Mar del Plata, Argentina resulted in a Declaration that takes into account the difficulties faced during FTAA negotiations.<sup>141</sup> The most recent Declaration addresses the needs of developing States more concretely, stating:

*“[We] remain committed to the achievement of a balanced and comprehensive FTAA Agreement that aims at expanding trade flows...with concrete and substantive benefits for all, taking into account the differences in the size and the levels of development of the participating economies and the special needs and special and differential treatment of the smaller and more vulnerable economies.”*<sup>142</sup>

While the FTAA is supported by most OAS Member States, the opposition led by Brazil, Argentina, and Venezuela suggests that the FTAA would be detrimental to the region without the removal of United States agricultural subsidies and other barriers.<sup>143</sup> The practice is considered unfair by other states. While the United States insists all FTAA members eliminate domestic agricultural subsidies, the United States is unwilling to remove similar subsidies within its own state.<sup>144</sup> A long running source of contention during FTAA negotiations is the insistence of the United States to continue farm subsidies. The inflexible attitude of the United States on the farm subsidies matter stalled the most recent FTAA talks.<sup>145</sup> President Luiz Inacio da Silva of Brazil articulated the sentiments of the leaders of the FTAA opposition, (namely, the MERCOSUR States, along with Venezuela and others) saying of the proposed Free Trade Agreement of the Americas that it would represent the “annexation” of Brazil by the United States during his 2002 presidential campaign, threatening that opening the markets in such a way would lead to a loss of sovereignty for his country.<sup>146</sup>

### ***Challenges to Free Trade in the Americas***

The Southern Cone Common Market (or MERCOSUR) was first developed as a customs union by the Treaty of Asuncion in March of 1990.<sup>147</sup> The treaty called for the elimination of customs duties and non-tariff barriers to trade, the creation of a common external tariff and common trade policy toward non-MERCOSUR States.<sup>148</sup> The founding members were Argentina, Brazil, Paraguay, and Uruguay. Chile, Bolivia, and Peru are associate members. As associate members, Chile, Bolivia, and Peru each have negotiated separate free-trade treaties with MERCOSUR as a whole.

MERCOSUR is increasingly being viewed as a South American alternative to the United States backed FTAA. One author describes how “some Latin Americans see MERCOSUR as a counterweight to the US. Brazilians, in particular, sometimes see MERCOSUR as a way of enhancing their sovereignty, because it helps them stand up to the Americans.”<sup>149</sup>

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<sup>140</sup> OAS, *supra* note 136, par. 11.

<sup>141</sup> OAS. (2005) Mar del Plata Declaration. Retrieved July 11, 2006. <http://www.summit-americas.org/Documents%20for%20Argentina%20Summit%202005/IV%20Summit/Declaracion/Declaracion%20IV%20Cumbre-eng%20nov5%209pm%20rev.1.pdf>.

<sup>142</sup> *Ibid.*

<sup>143</sup> Bachelet, Pablo. (2006). OAS leader charts an independent course. *Miami Herald*. Retrieved July 14, 2006 from <http://www.miami.com/mld/miamiherald/news/14776264.htm>.

<sup>144</sup> Barbosa, Rubens. (2002, October). Brazil and the United States: Overcoming obstacles to an FTAA. *Economic Perspectives*. Retrieved August 7, 2006 from <http://usinfo.state.gov/journals/ites/1002/ijee/ftaa-barbosa.htm>.

<sup>145</sup> James, *supra* note 138.

<sup>146</sup> Johnson, Elizabeth. (2004, January/February). Brazil's balancing act. *Foreign Policy*. Retrieved July 12, 2006 from [http://www.foreignpolicy.com/story/cms.php?story\\_id=2451](http://www.foreignpolicy.com/story/cms.php?story_id=2451).

<sup>147</sup> Porrata-Doria, *supra*, note 109, p.3.

<sup>148</sup> Treaty Establishing a Common Market between the Argentine Republic, the Federal Republic of Brazil, the Republic of Paraguay, and the Eastern Republic of Uruguay (Treaty of Asuncion). (Opened for signature 1990). Asuncion, Paraguay. Retrieved September 2, 2006, from <http://www.sice.oas.org/trade/mrcsr/treatyasun%5Fe.asp>.

<sup>149</sup> Jaguribe, Helio, et al. (2003). *The European Union, MERCOSUL, and the new world order*. Frank Cass Publishers: London.

Another challenger to the FTAA is the Bolivarian Alternative for the Americas (ALBA), backed by Venezuelan President Hugo Chavez.<sup>150</sup> In line with Venezuelan economic policy, ALBA does not advocate liberalization, privatization, or deregulation, nor does the proposed agreement protect intellectual property rights on the grounds that such practices hurt the poorest populations and protect the wealthiest.<sup>151</sup> As such, ALBA is promoted as the “socially oriented” alternative to the FTAA.<sup>152</sup>

### ***The Future of Free Trade in the Americas***

In the process of integrating the economies of the Americas, harmful effects on the society and environment are expected. To address these issues, some efforts have been made to include protections for people and the environment in free trade agreements.

In 1993, parties to the NAFTA treaty created the North American Agreement on Environmental Cooperation, which requires parties of the agreement to, among other things, promote education in environmental matters including environmental law, assess environmental impacts, and promote the use of economic instruments for the efficient achievement of environmental goals.<sup>153</sup> Within the OAS, discussions regarding free trade revolve around elimination of the United States farm subsidies. Emphasis is also placed on the link between the OAS commitments to the spread of democracy and the spread of free trade.<sup>154</sup>

If the arguments in favor of free trade throughout the Americas are correct, it will bring the most possible benefits to the people of the Western Hemisphere. Latin and South America appear to be forced into making a choice between joining the FTAA, MERCOSUR, or ALBA. While there appears to be little difference in the structure and affects of the FTAA and MERCOSUR, MERCOSUR offers Latin and South America the ability to overcome the influence of the United States. At the same time, MERCOSUR also offers new opportunities for economic expansion for both Europe and the Americas as cooperation between the European Union and MERCOSUR increases. ALBA also offers an attractive opportunity to Latin and South America with its social focus. The economic future of the American States is entirely dependent on the success or failure of each of these initiatives.

### ***Conclusion and Questions for Consideration***

Some experts argue that democracy fosters development. One source states that “the quality of representative institutions, the rule of law, and democratic governance are important factors in creating the conditions for sustainable and equitable long-term growth...The strengthening and consolidation of democratic institutions and the rule of law is a vital part of [the development] process.”<sup>155</sup> As fostering democratic institutions is an important role undertaken by the OAS, is free trade an effective tool in fostering political stability in the Western hemisphere? With the multitude of free trade agreements and organizations available for membership among the Americas, can all states reach agreement on one form of free trade? Is MERCOSUR or the FTAA best for the Americas? Fundamentally, free trade is pursued on the basis that an economy is designed to amass wealth for the state. Is it the duty of a state to create greater overall wealth, or reduce poverty among its citizens? Is it possible to pursue both?

## **III. Evaluating Human Rights in the Americas**

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<sup>150</sup> James, *supra* note 138.

<sup>151</sup> Arreaza, Teresa. (2004, January). *ALBA: Bolivarian alternative for Latin America and the Caribbean*. Retrieved August 7, 2006 from <http://www.venezuelanalysis.com/docs.php?dno=1010>.

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

<sup>153</sup> North American Agreement on Environmental Cooperation. (Opened for signature 1993). Washington DC: United States of America. Retrieved September 2, 2006, from [http://www.cec.org/pubs\\_info\\_resources/law\\_treat\\_agree/naaec/index.cfm?varlan=english](http://www.cec.org/pubs_info_resources/law_treat_agree/naaec/index.cfm?varlan=english).

<sup>154</sup> Brun, Diego Abente. (2002, February 27). *Outgoing Paraguayan ambassador says free trade vital to democracy*. Retrieved August 9, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/oaspage/searchform.asp>; United States. (2002, June 4). *The OAS, democracy, and free trade*. Retrieved August 9, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/oaspage/searchform.asp>.

<sup>155</sup> Valenzuela, *supra* note 106.

*“The right to development is the measure of the respect of all other human rights. That should be our aim: a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole.”*<sup>156</sup>

The Americas have some of the oldest Human Rights instruments and institutions in the world. The 1948 *American Declaration on the Rights and Duties of the Man* and the 1969 *American Convention on Human Rights* are the two instruments that guide the work of the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, the two central mechanisms that work towards the observance of the Declaration and Convention in the region.<sup>157</sup>

For centuries before the rise of the Inter-American System of human rights, the Americas had been marred by innumerable human rights abuses. Even the decades following the adoption of the Inter-American instruments were characterized by political violence in the 1960s and harsh military dictatorships in the 1970s and 1980s.<sup>158</sup> As noted by Juan Mendez and Javier Mariezcuerrena, the “lack of transparency, destruction of institutions of control, and domination of public opinion through the media led...to grotesque forms of massive and systematic human rights violations.”<sup>159</sup> It was not until the mid and late 1980s that the developed world began to scrutinize the totalitarian governments of the region, and in the aftermath of international pressure for democratization, allied to the rise of a strong civil society movement throughout the region. As such, most countries in Latin America developed some form of constitutional democratic government.<sup>160</sup>

### ***Human Rights on the International Level***

Human rights issues are addressed by the international community within the context of the *International Bill of Human Rights*.<sup>161</sup> The International Bill is comprised of the 1948 *Universal Declaration of Human Rights*, the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*, the last two being adopted in 1966.<sup>162</sup> Since then, the international human rights system has been expanded with the adoption of additional treaties and other agreements that expand on specific human rights. Today, this system contains dozens of agreements outlining the protection of rights of specific groups, such as women and children, migrants or persons with disabilities.<sup>163</sup> The international human rights system is always in a constant stage of evolution. As the system is expanded, the protection of specific rights is better institutionalized beyond the often vague provisions of the *Universal Declaration of Human Rights*. However, whereas certain groups such as women and children have specific treaties devoted to the protection of their specific rights, other groups, such as indigenous peoples and older persons still lack comprehensive legally-binding agreements to outline and protect their rights.<sup>164</sup>

In order to monitor the implementation of the *International Bill of Human Rights*, as well as the plethora of other human rights instruments, the international community counts on the work of several treaty and charter body committees such as the Committee on the Rights of the Child, the Committee on Migrant Workers, and the

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<sup>156</sup> Statement by UN secretary General Kofi Annan to the 53rd Session of the Commission on Human Rights, available online at the following Web site: <http://www.scienceblog.com/community/older/archives/L/1997/A/un970469.html>

<sup>157</sup> Harris, David. (1998). Regional Protection of Human Rights: the Inter-American Achievement. In D. Harris & S. Livingstone (Eds.), *The Inter-American System of Human Rights* (pp. 1-29). New York: Oxford University Press, p. 1.

<sup>158</sup> Mendez, Juan E. & Mariezcuerrena, Javier. (2000). *Human Rights in Latin America and the Caribbean: a regional perspective (paper submitted to the Human Development Report 2000 “Human Rights and Human Development”)*, p. 1. Retrieved July 13, 2006, from [http://hdr.undp.org/docs/publications/background\\_papers/mendez2000.pdf](http://hdr.undp.org/docs/publications/background_papers/mendez2000.pdf)

<sup>159</sup> *Ibid.*, p. 2.

<sup>160</sup> *Ibid.*, p. 3.

<sup>161</sup> Office of the High Commission for Human Rights. (1996). *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*. Retrieved July 12, 2006, from <http://www.unhchr.ch/html/menu6/2/fs2.htm>

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

<sup>163</sup> For a complete list of international human rights agreements on several issues, refer to the “International Law” section Office of the UN High-Commissioner for Human Rights Web site, at <http://www.ohchr.org/english/law/index.htm>

<sup>164</sup> Office of the High Commission for Human Rights. (2006). *International Law*. Retrieved August 11, 2006, from <http://www.ohchr.org/english/law/index.htm>

Committee Against Torture.<sup>165</sup> Excluding the main Organs of the United Nations (UN), the foremost charter-based body that addressed human rights issues within the UN System, was the Commission on Human Rights which was responsible for both standard-setting in the field of human rights as well as monitoring international compliance with these standards.<sup>166</sup> On April 2006, the Commission was substituted by the Human Rights Council.<sup>167</sup> The Human Rights Council is one of the newest deliberative bodies of the UN System and was created as an attempt to give a fresh start for the monitoring and implementation of international human rights instruments by the UN system.<sup>168</sup> The newly created Council will work together with the several existing treaty-based bodies in order to monitor the implementation of the many international human rights instruments in existence.<sup>169</sup>

### ***The Inter-American System of Human Rights***

The Inter-American Human Rights System has two pillars: the *American Declaration of the Rights and Duties of Man* and the *American Convention on Human Rights*. Adopted in April 1948, the American Declaration was the first international human rights instrument of such a scope to be adopted by a multi-lateral forum.<sup>170</sup> Two decades later, in 1969, the OAS adopted the *American Convention on Human Rights*, which entered into force in 1978.<sup>171</sup> The American Convention has two Protocols, one expanding on the notion of economic, social, and cultural rights (the Protocol of San Salvador), and one on the abolishment of the death penalty.<sup>172</sup> Although not legally-binding in its origin, the American Declaration is considered by both the Inter-American Commission and Court as sources of international obligations for Member States of the OAS.<sup>173</sup> Much like in the international system, the cornerstone instruments of the Inter-American System were followed by additional regional treaties, covering the specific issues, namely the *Inter-American Convention to Prevent and Punish Torture* (1985), the *Inter-American Convention on Forced Disappearance of Persons* (1994), the *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women* (1994), and the *Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities* (1999).<sup>174</sup>

In order to monitor these agreements, the Inter-American System counts on the Inter-American Commission on Human Rights (IACHR), established in 1959, and the Inter-American Court of Human Rights, established in 1978. Based in Washington, D.C., the IACHR is an autonomous organ of the OAS, and amongst its duties are twofold: to report on regional and country-specific human rights situations, and since 1965, to examine complaints or petitions concerning specific human rights violations which can be filed by any person, group of persons or non-governmental organizations (NGOs).<sup>175</sup> The 2005 Annual Report of the Commission highlighted to the General Assembly of the OAS the several challenges that still confront countries in North and Latin America:

The weak rule of law in various countries of the region hinders the full exercise of human rights. The socioeconomic situation in most OAS Member States prevents the effective exercise of their inhabitants' economic, social, and cultural rights. Structural problems from prior decades also remain, involving impunity in serious human rights violations, such as torture and extrajudicial executions; arbitrary detention; a weak judiciary in most countries of the region; in some

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<sup>165</sup> *Ibid.*

<sup>166</sup> International Service for Human Rights. (2006). *A New Chapter for Human Rights: A Handbook on Issues of Transition from the Commission on Human Rights to the Human Rights Council*, p. 10. Retrieved August 11, 2006, from <http://www.ishr.ch/handbook/index.htm>

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

<sup>168</sup> UN Human Rights Council. (2006). *Human Rights Council Concludes First Session*. Retrieved July 12, 2006, from <http://www.unhcr.ch/hurricane/hurricane.nsf/view01/13C5B111105739B5C125719F0077680D?opendocument>

<sup>169</sup> For a list of treaty-based bodies and the treaties they monitor refer to the appropriate section of the Office of the High Commissioner for Human Rights Web site, available at <http://www.ohchr.org/english/bodies/index.htm>

<sup>170</sup> Inter-American Commission on Human Rights. (2006). *What is the IACHR?* Retrieved July 12, 2006, from <http://www.cidh.org/what.htm>

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

<sup>172</sup> Inter-American Commission on Human Rights. (2003, January 31). *Basic Documents Pertaining to Human Rights in the Inter-American System*. Retrieved July 12, 2006, from <http://www.cidh.org/basic.eng.htm>

<sup>173</sup> Inter-American Commission on Human Rights, *supra*, note 170.

<sup>174</sup> *Ibid.*

<sup>175</sup> International Service for Human Rights (2004). *Inter-American Human Rights System*. Retrieved July 12, 2006, from <http://www.ishr.ch/About%20UN/UN%20System/InfoPack/InterAmericanHRSsystem.pdf>

countries, attacks on judicial independence and impartiality; overcrowding and other inhumane conditions for persons in detention; and severe prison violence leading to the death of dozens of detainees. Nor has there been a change in the tangible and legal inequality faced by groups traditionally subjected to discrimination, such as women, indigenous peoples, persons of African descent, and homosexuals. In 2005 again there was a growing problem of public insecurity and a lack of a sufficient institutional response consistent with the principles of a democratic society that respects human rights and fundamental freedoms.<sup>176</sup>

In light of the Commission's statement, one can easily realize that, despite decades of progress regarding human rights issues countries in the Americas, they still have much work to do in order to fully realize their peoples' human rights as enshrined in international and regional documents.

In addition to the IACHR, the system relies on the Inter-American Court of Human Rights (the Court) which has its permanent seat in San José, Costa Rica.<sup>177</sup> The Court was created by the *American Convention on Human Rights*, and it commenced its operations following the entry into force of the Convention in 1978.<sup>178</sup> The Court can adjudicate any case involving a violation of the American Convention by a State Party only when another State Party brings the case to the Court.<sup>179</sup> As of 2005, the Court had issued 139 judgments, and had resolved 68 cases.<sup>180</sup> In addition to its adjudicative role the Court also issues non-binding advisory opinions in a model similar to that of the International Court of Justice, usually pertaining to the interpretation of obligations under the American Convention or any treaties concerning the protection of human rights in the Americas.<sup>181</sup> As of 2005, the Court had issued 19 advisory opinions.<sup>182</sup>

In addition to the IACHR and the Court, the late 1980s and the 1990s saw the rise of one of the most significant mechanisms for the promotion and protection of human rights in the region: the national human rights institutions or human rights ombudsmen.<sup>183</sup> When national human rights institutions first arose, they took the form of a national Ombudsman office whose role was to strengthen "public participation in governance, transparency of public administration, the accountability of public authorities to the people and fairness in administration."<sup>184</sup> Throughout the years the role of the Ombudsman has evolved into several specialized areas, and many countries now count on different ombudsmen (or equivalent national and sub-national institutions) to guarantee different sets of rights, from labor rights to indigenous or civil and political rights.<sup>185</sup>

As of 1983 only about 23 countries in the world had such national ombudsman offices, but by 2004, over 120 countries counted on different variations of national human rights institutions, most of them of a human rights promotion and protection nature.<sup>186</sup> The first of such institutions in Latin America was created in Guatemala in 1985.<sup>187</sup> As of 2006, 26 countries in the Americas count on national and sometimes sub-national national human

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<sup>176</sup> Organization of American States. (2006, June). *Key OAS Issues: Protecting Human Rights*. Retrieved July 12, 2006, from [http://www.oas.org/key\\_issues/eng/KeyIssue\\_Detail.asp?kis\\_sec=2](http://www.oas.org/key_issues/eng/KeyIssue_Detail.asp?kis_sec=2)

<sup>177</sup> Inter-American Court of Human Rights. (2006). *History*. Retrieved July 12, 2006, from [http://www.corteidh.or.cr/general\\_ing/history.html](http://www.corteidh.or.cr/general_ing/history.html)

<sup>178</sup> International Service for Human Rights, *supra*, note 175.

<sup>179</sup> *Ibid.*

<sup>180</sup> Inter-American Court of Human Rights. (2005). *Inter-American Court of Human Rights: Annual Report 2005*. San Jose, Costa Rica: OAS. Retrieved July 12, 2006, from [http://www.corteidh.or.cr/public\\_ing/info\\_05\\_ing.pdf](http://www.corteidh.or.cr/public_ing/info_05_ing.pdf)

<sup>181</sup> International Service for Human Rights, *supra*, note 175.

<sup>182</sup> Inter-American Court of Human Rights, *supra*, note 177.

<sup>183</sup> For additional information on national human rights institutions, refer to: Office of the High Commissioner for Human Rights. (1993, April). *Fact Sheet No.19, National Institutions for the Promotion and Protection of Human Rights*. Geneva: United Nations. Retrieved July 13, 2006, from <http://www.ohchr.org/english/about/publications/docs/fs19.htm>

<sup>184</sup> Reif, Linda C. (2004). *The Ombudsman, Good Governance, and the International Human Rights System*. Leiden; Boston: Martinus Nijhoff Publishers, p. 78.

<sup>185</sup> Mendez, *supra*, note 158, p. 21.

<sup>186</sup> International Ombudsman Institute. (2006). *The History and Development of the Public Sector Ombudsman Office*. Retrieved July 13, 2006, from <http://www.lawualberta.ca/centres/ioi/eng/history.html>

<sup>187</sup> Dodson, Michael & Jackson, Donald. (2004). Horizontal Accountability in Transitional Democracies: the Human Rights Ombudsman in El Salvador and Guatemala. *Latin American Politics & Society* 46.4, p. 13.



Indigenous Populations.”<sup>200</sup> Following that resolution the Commission began to address several cases that related directly or indirectly to indigenous rights.<sup>201</sup>

The process of compiling a “juridical instrument defining indigenous rights” at the regional level was not created until 1989, the same year that the International Labour Organization (ILO) adopted Convention No. 169, on *Indigenous and Tribal Peoples in Independent Countries*.<sup>202</sup> From 1989 until 1999 the IACHR discussed different drafts of a proposed American Declaration on the Rights of Indigenous Peoples, and from 1999 until present, the OAS General Assembly has adopted annual resolutions on the proposed declaration – the most recent being AG/RES. 2234 (XXXVI-O/06).<sup>203</sup> Following over 10 years of negotiations, three more negotiating sessions are expected to take place, and the Declaration is hoped to be adopted at the next OAS General Assembly.<sup>204</sup>

Much progress has been attained towards the adoption of a regional declaration on the rights of indigenous peoples. The eventual achievement of that document is only a small step in the actual protection of these rights. As a declaration is a non-legally binding instrument, only a convention on such issues would provide an enforceable mechanism for the protection of the specific rights of indigenous populations. Moreover, many outstanding issues remain within the draft American declaration on the rights of indigenous peoples under consideration by the OAS, including: an effective mechanism for the definition of indigenous groups, an agreement on individual versus collective rights, and a definition of indigenous cultural rights, among others.<sup>205</sup>

When discussing what measures are still necessary for the full promotion and realization of the specific rights of indigenous peoples, delegates must also be aware of relevant international developments in this area. For instance, the only international legally-binding instruments that pertain directly to the rights of indigenous peoples are found in Conventions No. 107 and No. 169 of the ILO, both of which still lack considerable ratification by countries in the Americas.<sup>206</sup> Additionally, another international instrument, the *International Convention on Civil and Political Rights*, indirectly addresses some of the rights arguably conferred to indigenous populations, but in the vague context of prohibitions to racial discrimination or the protection of the rights of minorities.<sup>207</sup>

In addition to the aforementioned instruments, the UN Permanent Forum on Indigenous Issues was established as an advisory body of the UN Economic and Social Council in 2000, with a mandate to “discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights.”<sup>208</sup> The Forum was created in the context of the first United Nations International Decade of the World's Indigenous Peoples (1995-2004), and now it plays an intrinsic role in the promotion of the goals of the *Programme of Action of the Second International Decade of the World's Indigenous People* (2005-2015), adopted on January 1, 2005.<sup>209,210</sup>

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<sup>200</sup> Inter-American Commission on Human Rights. (2000, October 18). *The Human Rights Situation of the Indigenous People in the Americas*. Retrieved July 19, 2006, from <http://www.cidh.org/Indigenas/TOC.htm>

<sup>201</sup> *Ibid.*

<sup>202</sup> Hannum, *supra*, note 197, p. 334.

<sup>203</sup> Organization of American States. (2006, June 6). *AG/RES. 2234 (XXXVI-O/06): American Declaration on the Rights of Indigenous Peoples*. Retrieved July 19, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/36AG/>

<sup>204</sup> Organization of American States. (2006, June). *Key OAS Issues: The Rights of Indigenous Peoples*. Retrieved July 19, 2006, from [http://www.oas.org/key\\_issues/eng/KeyIssue\\_Detail.asp?kis\\_sec=13](http://www.oas.org/key_issues/eng/KeyIssue_Detail.asp?kis_sec=13)

<sup>205</sup> For a complete text of the current version of the draft declaration see Organization of American States. (2006, March 25). *GT/DADIN/doc.260/06: Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples*. Retrieved July 19, 2006, from [http://www.oas.org/documents/Racismo/RECORD\\_OF\\_THE\\_CURRENT\\_STATUS.doc](http://www.oas.org/documents/Racismo/RECORD_OF_THE_CURRENT_STATUS.doc)

<sup>206</sup> Inter-American Commission on Human Rights, *supra*, note 200.

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

<sup>208</sup> UN Permanent Forum on Indigenous Issues. (n.d.). *Structure within ECOSOC*. Retrieved July 19, 2006, from <http://www.un.org/esa/socdev/unpfii/en/structure.html>

<sup>209</sup> UN Permanent Forum on Indigenous Issues. (n.d.). *About us/Mandate*. Retrieved July 19, 2006, from [http://www.un.org/esa/socdev/unpfii/en/about\\_us.html](http://www.un.org/esa/socdev/unpfii/en/about_us.html)

<sup>210</sup> UN Permanent Forum on Indigenous Issues. (n.d.). *Second International Decade of the World's Indigenous People*. Retrieved July 19, 2006, from <http://www.un.org/esa/socdev/unpfii/en/second.html>



In parallel to much of the OAS negotiations on a declaration on indigenous rights, the UN has discussed a draft declaration on the rights of indigenous peoples since 1982.<sup>211</sup> However, negotiations have been slow in recent years and sources for disagreements include: definition of the extent of the right of self-determination of indigenous peoples, as well as these populations' rights to their lands, territories and resources.<sup>212</sup> It is worth mentioning, however, that these negotiations have included the active participation of several indigenous peoples' representatives, usually banded together under the Indigenous Peoples' Caucus.<sup>213</sup>

### *Economic, Social and Cultural Rights*

In few places are disparities between the rich and the poor as great as they are throughout the Americas. Some authors have determined that "perhaps the greatest challenge facing Latin American democracies is the problem of social exclusion, i.e. their citizens' inability to realize their economic, social and cultural rights, which leads, in turn, to political exclusion."<sup>214</sup> Recent statistics show that in some Latin American countries, the richest 10% of the population consume over 120 times as much as the poorest 10%, whereas in developed countries that ratio is closer to five times.<sup>215</sup>

Historically, the codification and enforcement of the realization of Economic, Social and Cultural Rights (ESCR) have not been of primary concern for policy-makers. Reasons for the apparent dichotomy between civil and political rights and ESCR usually relate to the affirmation that the latter are not "justiciable," or that the realization of these rights should be "achieved progressively."<sup>216</sup> At the international level, one example of this dichotomy is clear in the fact that unlike the UN Committee on Civil and Political Rights (the Human Rights Committee) and most human rights bodies, the Committee on Economic, Social and Cultural Rights cannot accept individual petitions.<sup>217</sup> This weakness is in the process of being addressed as the UN has been negotiating a Protocol to the International Covenant on Economic, Social and Cultural Rights that would create such a mechanism for individual complaints.<sup>218</sup> However, progress has been slow, and whereas the negotiations have been forwarded to the newly created Human Rights Council there is no official schedule for the Council to take up the issue.<sup>219</sup>

At the regional level the disparities between the protection of civil and political rights and ESCR have only recently begun to be rectified. The American Convention on Human Rights contains only one vague reference to ESCR in its Article 26.<sup>220</sup> That vague reference contributed to the weak enforceability of ESCR in the region which was only recently remedied on November 1999, with the entry into force of the 1988 *Additional Protocol to the American Convention on human Rights in the Area of Economic, Social and Cultural Rights*.<sup>221</sup> The Protocol provides a remarkable list of ESCR, including the right to food, health, education and employment.<sup>222</sup> However, the Protocol has some drawbacks, as violations of only two rights espoused therein can be brought before the Inter-American Court or Commission.<sup>223</sup> Moreover, only 13 countries in the region have ratified the Protocol, rendering its effect

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<sup>211</sup> Inter-American Commission on Human Rights, *supra*, note 200.

<sup>212</sup> International Service for Human Rights. (2006, February 3). *Full Report - 11th Session of the Working Group on the draft UN declaration on the rights of indigenous peoples*. Retrieved July 19, 2006, from <http://www.ishr.ch/About%20UN/Reports%20and%20Analysis/CHRWG/WGDDIP/WGDDIP-11thSessionFullReport.pdf>

<sup>213</sup> *Ibid.*

<sup>214</sup> Mendez, *supra*, note 158, p. 27.

<sup>215</sup> Latin America and the Caribbean: The Facts [Special section]. (2003, May). *New Internationalist*, (356), p. 18-19.

<sup>216</sup> Mendez, *supra*, note 158, p. 27.

<sup>217</sup> *Ibid.*, p. 28.

<sup>218</sup> International Service for Human Rights. (2006). *Open-Ended Working Group to Consider Options Regarding the Elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*. p.1. Retrieved August 11, 2006, from <http://www.ishr.ch/hrm/WGOPICESCR/3rdSession.pdf>

<sup>219</sup> *Ibid.*, p. 7.

<sup>220</sup> Melish, Tara. (2002). *Protecting Economic, Social and Cultural Rights in the Inter-American System: A Manual for Presenting Claims*. Ecuador: Centro de Derechos Economicos y Sociales, p. 46.

<sup>221</sup> *Ibid.*, p. 12.

<sup>222</sup> *Ibid.*, p. 13.

<sup>223</sup> *Ibid.*, p. 49.

throughout the region fairly uneven.<sup>224</sup> Given the aforementioned challenges, the “justiciability” of ESCR remains weak and uneven, leaving many opportunities for improvement in the realization of ESCR in the Americas.

The second main reason for the second-class status of ESCR in the region is due to the common misconception that these rights are to be achieved progressively, or that they are “more as byproducts of economic development than as values in themselves.”<sup>225</sup> With this approach, policy-makers often boast of achievements regarding civil and political rights mainly because they cannot demonstrate accomplishments in the field of economic, social and cultural rights, as improvements in these areas usually require large amounts of often-scarce public funds devoted to socio-economic programs.<sup>226</sup> Ultimately, social inequalities and widespread poverty continue to plague countries in the Americas. For the aforementioned reasons, the full realization of ESCR has been largely ignored throughout the region, and international and regional agreements on these issues have been largely overlooked and poorly enforced.

### **Conclusion**

The struggle for human rights has been deemed one of the main priorities of the international community in the 21<sup>st</sup> century.<sup>227</sup> The Americas count on some of the oldest human rights instruments and institutions, yet the region lacks full implementation of these instruments, and the enforcing institutions lack the resources to be truly effective. In addressing the issues outlined in this guide, delegates must find innovative ways to continue and enhance the development of international instruments that promote and protect human rights in the Americas, independently as well as in the context of international negotiations on these topics. Moreover, delegates should be fully aware of the human rights profiles of their own countries. What international and regional agreements has your country signed or ratified? How does your government believe the struggle for human rights should be addressed, and what measures has it taken to achieve these goals? What is the level of implementation of the major international and regional human rights instruments in your country? Moreover, what are the reasons for the lack of implementation of some rights, if that is the case?

The Inter-American Human Rights System has evolved and developed some of the best regional systems for the protection and promotion of human rights in the Americas. Delegates should be fully aware of the historical and recent developments in the field, particularly regarding the issues outlined in this guide. With this in mind, what are your government’s policies pertaining to the aforementioned issues? Ultimately, what measures can the community of American States take to promote and protect human rights in the region, particularly economic, social and cultural rights, and the rights of indigenous populations?

## **Annotated Bibliography**

### ***History of the Organization of American States***

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*While brief, this profile offers easily accessible basic background information and facts on the OAS beginning with its formation in 1948 and covering a number of topics ranging from the relatively new Secretary General Jose Miguel Insulza to recent issues and concerns. Of special note is the issues section, which very concisely covers current concerns of the OAS, including poverty reduction and free trade*

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<sup>224</sup> Inter-American Commission on Human Rights. (2006). *Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights*. Retrieved August 11, 2006, from <http://www.cidh.org/Basicos/basic6.htm>

<sup>225</sup> Craven, Matthew. (1998). The Protection of Economic, Social and Cultural Rights under the inter-American System of Human Rights. In D. Harris & S. Livingstone (Eds.), *The Inter-American System of Human Rights* (pp. 289-321). New York: Oxford University Press, p. 289.

<sup>226</sup> Mendez, *supra*, note 158, p. 28.

<sup>227</sup> United Nations. (2005). *A/RES/60/1: World Summit Outcome*. New York: United Nations. p.2. Retrieved August 12, 2006, from <http://daccessdds.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement>

*negotiations. While useful, this profile is superficial and delegates should seek multiple sources beyond this site in their research on the OAS.*

Capeda, et al. (June 2006). *Responding to the hemisphere's political challenges report of the Inter-American Dialogue Task Force on the Organization of American States*. Retrieved July 11, 2006 from [http://www.thedialogue.org/publications/2006/summer/OAS\\_2006.pdf](http://www.thedialogue.org/publications/2006/summer/OAS_2006.pdf).

*This report is an excellent source for delegates. It outlines the challenges facing the Americas in the future, thereby again underlining the need for forums such as OAS. It in particular stresses the increased need for heads of state to understand the importance and potential of OAS and strengthen it accordingly.*

Charter of the Organization of the American States, 1948, 119 U.N.T.S. 3.

*This is the Charter of the Organization of American States and, as such, founds the Organization and contains the basic protocol under which the organization operates. Delegates should read and fully understand the Charter as well as the responsibilities the Treaty includes for OAS members. Delegates may also find the American Treaty of Pacific Settlement (or Pact of Bogota) and the Inter-American Treaty of Reciprocal Assistance (or Rio Treaty) relevant in providing a context to the Charter. A copy of the Charter can be found at*

<http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/juridico/english/charter.html>.

Coverdell, Paul. (2000, April). *A new vision for the Americas*. Retrieved July 11, 2006 from

[http://www.cfr.org/publication/3624/new\\_vision\\_for\\_the\\_americas.html](http://www.cfr.org/publication/3624/new_vision_for_the_americas.html).

*This website directs delegates to a speech given by Paul Coverdell to the Council on Foreign Relations in 2000. He outlines a vision for the Americas, stressing the need for intense cooperation to make the next century, the century of the Americas. He also outlines a number of threats facing the Americas, which need to be addressed decisively. Delegates will find this source useful in understanding the need for an organization such as OSA.*

Shaw, Carolyn M. (2004). *Cooperation, conflict, and consensus in the Organization of American States*. New York: New York: Palgrave Macmillan.

*As the title suggests, the author focuses primarily on the dynamics of the OAS as an organization in this work. While discussing conflicts and consensus building among OAS negotiations, the book also includes a succinct history of the organization, and a respectable discussion on the role of the OAS in bolstering democratic institutions in the Americas. Delegates may also find Shaw's work useful in tracing the history of regional cooperation in the Western hemisphere, from the Congress of Panama onwards.*

Shenin, D. (Ed.). (2000). *Beyond the ideal: Pan-Americanism in inter-American affairs* (Vol. 18). Contributions in Latin American Studies. Westport, Connecticut: Greenwood Press.

*This book compiles the writings of several authors, tracing pan-American relations from the Monroe Doctrine and Theodore Roosevelt's "big stick" diplomacy. Special emphasis is placed on broadening the idea of pan-Americanism to more than simply a question of "Hispanismo" versus United States domination. Overall, the work is interesting, and will provide delegates with a broader context with which to approach their negotiations at the conference.*

United States Department of State. (2000). *Background notes: OAS* [Pamphlet]. Washington DC: Author.

*The background notes provided by the United States Department of State is brief, and does not contain more than what may be deemed "absolutely necessary" information in a modified bullet point format. The notes include such basic information as the location of OAS headquarters (Washington, DC), purposes, and members of the OAS, but also has a lengthier history section. The sections on the United States relations toward OAS Member States may be the most relevant to delegates.*

### ***Additional Sources***

Belt, Guillermo. (2002, June). *The Organization of American States: An introduction*. Retrieved July 23, 2006 from [http://www.educoea.org/Portal/docs/Belt\\_Paper\\_rev.pdf](http://www.educoea.org/Portal/docs/Belt_Paper_rev.pdf).

*This paper by Guillermo Belt provides a complete, though succinct history of the OAS as well as an overview of other issues relevant to the organization. This paper is posted by the OAS sponsored*

website/organization, the Educational Portal of the Americas. Delegates may find the Educational Portal of the Americas at <http://www.educoas.org/>.

Dominguez, J. I. (1999, June). *The future of Inter-American relations*. Routledge Press. Retrieved July 11, 2006, from Inter-American Dialogue Web site: [http://www.thedialogue.org/publications/Future\\_of\\_IAR.html](http://www.thedialogue.org/publications/Future_of_IAR.html). In 1997, the Inter-American Dialogue assigned several of its participants a specific area of study. These are Dominguez's initial findings. It later became part of a compilation published by Routledge Press in 2000. It impressively addresses a range of topics providing invaluable insight into the evolution of the state of affairs in the region especially on the relationship between the United States of America and the lesser-economically developed countries in the hemisphere and the necessity for codependency and collaboration. Dominguez discusses the following subtopics: security issues; societal issues; economic issues; democracy; and a comparison and contrast of the unilateralism and multilateralism in the region.

Fernando, C., Hakim, P., Lagos, R., Hills, C. A., Bell, P. D., Cardoso, F. H., et al. (Eds.). (2006, June). *Responding to the hemisphere's political challenges: report of the Inter American Dialogue Task Force on the Organization of American States*. Inter-American Dialogue. Retrieved June 11, 2006, from [http://www.thedialogue.org/publications/2006/summer/OAS\\_2006.pdf](http://www.thedialogue.org/publications/2006/summer/OAS_2006.pdf).

*This in-depth report is the most recent of studies generated by the Inter-American Dialogue which is an Organization that regularly evaluates the situation in the Western Hemisphere. The group is based in and was founded by the United States of America in 1982. However, throughout the entire region, participants from both the public and private sector are selected based on merit. They review the situation in the region and the activities of the Organization of American States and provide suggestions based on their findings, both of which can be found within this report. There is also a link for an abstract of the entire report: [http://www.thedialogue.org/publications/2006/summer/OAS\\_flyer.pdf](http://www.thedialogue.org/publications/2006/summer/OAS_flyer.pdf)*

Inter-American Conference for the Maintenance of Continental Peace and Security. (1947). *Inter-American Treaty of Reciprocal Assistance* Rio de Janeiro. Retrieved July 15, 2006, from Organization of American States Web site: <http://www.oas.org/juridico/english/Treaties/b-29.html>.

*This treaty advocates collective self-defense in the region. It is also among the earliest such treaties in the region. As such, this treaty illustrates the former focus of regional agreements on security, rather than social or political issues.*

### **I. Special Security Concerns of Small Island States**

Bureau for International Narcotics and Law Enforcement Affairs. (2006). *International Narcotics Control Strategy Report - Volume II: Money Laundering and Financial Crimes*. Washington, D.C. Retrieved July 12, 2006, from <http://www.state.gov/p/inl/rls/nrcrpt/2006/vol2/html/>

*This report provides delegates with a comprehensive look at current money laundering activities throughout the globe. Additionally, the report also covers the main international agreements on the issue of money laundering. Finally, the report provides regional and national data on some of the regions/countries most prone to money laundering activities.*

Caribbean Financial Action Task Force. (2006). *CFATF Overview*. Retrieved July 12, 2006, from <http://www.cfatf.org/>

*The CFATF is a regional mirror organization of the G-8 Financial Action Task Force (FATF). This Web site is a good source of information for delegates that have already looked at the G-8 FATF Web site, but wish to further their understanding of regional manifestations of money laundering. Delegates are encouraged to browse through the country profiles (particularly of their countries and neighbors), as well as through the different initiatives undertaken by the CFATF to combat money laundering throughout the region.*

CARICOM. (2006). *CARICOM Regional Task Force on Crime and Security*. Retrieved July 12, 2006, from [http://www.caricom.org/jsp/community/regional\\_issues/crime\\_and\\_security.jsp?menu=community](http://www.caricom.org/jsp/community/regional_issues/crime_and_security.jsp?menu=community)

*This Web site is the portal for one of the most important sub-regional bodies related to the topic at hand: The CARICOM Regional Task Force on Crime and Security. This site is a good*

*complementary source of very specific sub-regional information, which can best be understood after delegates have a solid understanding of the larger regional initiatives throughout the region. Delegates are encouraged to look through the recent reports by the regional task force, as well as the regional CARICOM anti-crime strategy. It is crucial that delegates, particularly those in the Caribbean region, are familiar with the current status of regional initiatives aimed at curbing crime and violence in the region.*

Desch, Michael & Domínguez, Jorge; Serbin, Andres. (1998). *From Pirates to Drug Lords: the Post-Cold War Caribbean Security Environment*. Albany: State University of New York Press.

*This book contains one of the best historical overviews of the many security challenges faced by countries in the Caribbean Basin, which is a great place for delegates starting their research on this topic. Whereas the main focus of the book is the traffic in illicit drugs, the authors still explore other sources of instability in the region, such as the environment, migration, and the need for strengthening democratic institutions. Finally, the book also contains an informative chapter on the role of collective security institutions and mechanisms in the region, and their role in reducing the threats to Caribbean States.*

Financial Action Task Force. (2006). *About the FATF*. Retrieved July 12, 2006, from [http://www.fatf-gafi.org/pages/0,2966,en\\_32250379\\_32236836\\_1\\_1\\_1\\_1\\_1,00.html](http://www.fatf-gafi.org/pages/0,2966,en_32250379_32236836_1_1_1_1_1,00.html)

*The FATF is the foremost international organization aimed at combating money laundering on a worldwide scale. Its recommendations on money laundering and special recommendations on the financing of terrorism are the most authoritative sources of direction for governments wishing to address this issue. The FATF Web site also contains several country reports, as well as links to regional anti-money laundering task forces, such as the Caribbean Financial Action Task Force.*

Griffith, Ivelaw. (1997). *Drugs and Security in the Caribbean: Sovereignty Under Siege*. University Park, PA : Pennsylvania State University Press.

*Ivelaw Griffith is a renowned author on security issues in the Caribbean region. In this book the author analyzes drug-trafficking in the Caribbean in all of its aspects, from the drug routes, to methods and ways in which organized criminal organizations launder their profits throughout the region. Moreover, the author explores other criminal activities related to drug-trafficking in the region, such as arms trafficking and corruption. Finally, the author analyzes the main national, regional and international counter measures in place at this point, and he explores potential solutions to outstanding challenges.*

Griffith, Ivelaw. (1995). Caribbean Security: Retrospect and Prospect. *Latin American Research Review*, Vol. 30 No 2 (Summer), p. 3-32.

*In this article, Ivelaw Griffith identifies the multidimensional nature of the security threats faced by Caribbean States. The author then identifies drug trafficking as the main overarching threat, and explains its ramifications for the weakening of governance institutions and security throughout the region (through the use of informative graphs and tables). This article also contains analysis of two other challenges faced by small island States, namely their economic and environmental vulnerabilities.*

Inter-American Committee against Terrorism. (2006). *Our Mission*. Retrieved July 11, 2006, from <http://www.cicte.oas.org/English/index.htm>

*The Inter-American Committee against Terrorism is the body of the OAS tasked with coordination of regional efforts to confront terrorism in the Americas. Delegates must be familiar with the actions of the committee, as well as the different programs it sponsors, on issues such as customs and border protection, port security, and terrorism financing.*

Inter-American Development Bank. (2006, June 30). *IDB, CDB Launch Disaster Prevention Initiative for the Caribbean*. Retrieved July 26, 2006, from

<http://www.iadb.org/NEWS/articledetail.cfm?artid=3176&language=En>

*In this brief Press Release, delegates can find details regarding one of the most recent regional efforts aimed at enhancing disaster prevention and preparedness in the Caribbean. Delegates are*

*encouraged to look further into the scope of this new initiative, as well as identify other areas that warrant attention relating to disaster prevention and preparedness in small island States in the Americas.*

Inter-American Drug Abuse Control Commission. (2006). *About CICAD*. Retrieved July 11, 2006, from <http://www.cicad.oas.org/EN/AboutCICAD.asp>

*CICAD is the foremost Inter-American organization devoted to the fight against illicit drugs in the region. CICAD's Web site contains the various regional agreements on this topic as well as some of its major achievements over the years. The Web site also contains links to specific initiatives undertaken by the commission on different aspects of drug trafficking, from alternative development to drug demand reduction.*

International Strategy for Disaster Reduction. (2000). Association of Caribbean States (ACS): Assessment of ACS Countries' Disaster Management Projects, Weaknesses and Strengths. *ISDR informs – Latin America and the Caribbean*, Issue 2, 2000. Retrieved July 26, 2006, from [http://www.eird.org/eng/revista/No2\\_2001/pagina17.htm](http://www.eird.org/eng/revista/No2_2001/pagina17.htm)

*This brief article is a good source for delegates beginning their research on this sub-topic, as it provides concise information on the perceived natural hazard threats faced by Caribbean countries. However, the article is fairly short, thus warranting further research on the various organizations and initiatives enumerated in the article, so that delegates can fully understand the many different measures and approaches to addressing natural disaster prevention in the region.*

Pelling, Mark & Uitto, Juha. (2002). Small Island Developing States: Natural Disaster Vulnerability and Global Change. *Environmental Hazards*, 3, p. 49-62.

*This article is a very well-done and concise introduction to the vulnerabilities faced by small island States in the face of global climate change, thus being an excellent starting point for delegates researching this particular sub-topic. The authors discuss the many factors involved in determining the risk of small island States threatened by natural disasters, as well as the many international processes that threaten the security of these countries. Finally, delegates are encouraged to observe the case-study of Barbados and the challenges faced by that country in coping with natural disasters, as it provides an in depth look at how any small island State in the region can become vulnerable to global climate change.*

Organization of American States. (1996). AG/RES. 1410 (XXVI-O/96): *Promotion of Security in the Small Island States*. Washington, D.C.: OAS. Retrieved July 11, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>

*In order to access this document, delegates need to follow the appropriate links within the OAS Documentation Web site (referenced above). Follow the link to the Committee on Hemispheric Security, then the link to the Special Security Concerns of Small Island States. This resolution represent the first official measure taken by the OAS in dealing with the particular concerns of small island States, mainly calling for the First High-Level Meeting on the topic.*

Organization of American States. (1997). AG/RES. 1497 (XXVII-O/97): *Special Security Concerns of Small Island States*. Retrieved July 11, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>

*In order to access this document, delegates need to follow the appropriate links within the OAS Documentation Web site (referenced above). Follow the link to the Committee on Hemispheric Security, then the link to the Special Security Concerns of Small Island States. This resolution represents the first concrete OAS measure to outline some of the special concerns of small island States in the region, thus allowing for further specific actions and meetings that expanded on the level of involvement of the OAS in helping small island States in the region cope with some of their security threats.*

Organization of American States. (Opened for Signature 1997, 14 November). *Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related*

- Materials*. Washington, D.C.: OAS. Retrieved July 11, 2006, from <http://www.oas.org/juridico/english/sigs/a-63.html>  
*As the main legally-binding instrument on the international traffic of small arms and light weapons, this treaty remains very important to regional action on this issue. Delegates should be familiar with the treaty, as well as the status of ratification by their own countries. Finally, delegates should be aware of the level of implementation of the treaty's provisions in their States.*
- Organization of American States. (2002). *Inter-American Convention Against Terrorism*. Retrieved July 11, 2006, from [http://www.oas.org/xxxiiga/english/docs\\_en/docs\\_items/AGres1840\\_02.htm](http://www.oas.org/xxxiiga/english/docs_en/docs_items/AGres1840_02.htm)  
*Delegates should be familiar with the main regional instrument aimed at combating terrorism in the Americas. This convention provides the most comprehensive set of actions required of State Parties to combat terrorism at the regional level. Delegates must know the status of ratification for their country, as well as any measures taken by their countries to combat terrorism in the region and globally.*
- Organization of American States. (2004). *Final Report of the Conference of the States Party of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*. Retrieved July 11, 2006, from [http://www.fas.org/asmp/campaigns/smallarms/cifta\\_meetingfinalreport07Oct05.pdf](http://www.fas.org/asmp/campaigns/smallarms/cifta_meetingfinalreport07Oct05.pdf)  
*This report contains different proposals put forth by States Party to the American Convention on firearms during their first meeting. It also contains statements by various Latin American States on the topic. It is crucial that delegates addressing this sub-topic are aware of the most recent developments regarding the Inter-American Convention, as well as potential areas for improvements in the regional fight against the illicit traffic of small arms and light weapons.*
- Organization of American States. (2006). *AG/RES. 2189 (XXXVI-O/06): Fighting Transnational Organized Crime in the Hemisphere*. Retrieved July 12, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/36AG/>  
*In order to find the link to this resolution, follow the link to "Declaraciones y Resoluciones Aprobadas por la Asamblea General" (on the right of the page), where delegates will find this and all other OAS resolutions from the most recent session of the OAS General Assembly. This resolution represents the most current set of directives agreed upon by OAS Member States on the topic of transnational organized crime. Delegates are encouraged to familiarize themselves with this as well as other relevant OAS resolutions on this topic.*
- Sanchez, Marcela. (2005). *Disarming Latin America*. *Washington Post* Thursday, February 17, 2005. Retrieved July 11, 2006, from <http://www.washingtonpost.com/ac2/wp-dyn/A32864-2005Feb17?language=printer>  
*This is a good introduction and starting point for delegates researching the recent developments in the realm of small arms and light weapons, particularly regarding the relationship between the United States and the regional armaments trade. Delegates are encouraged to further their research on the topic well beyond this article, as it only scratches the surface of the international and regional illicit trafficking of small arms and light weapons.*
- Schipper, Lisa & Pelling, Mark. (2006). *Disaster Risk, Climate Change and International Development: Scope for, and Challenges to Integration*. *Disasters*. Mar. 30(1), p.19-38. Retrieved July 14, 2006, from <http://www.blackwell-synergy.com/doi/pdf/10.1111/j.1467-9523.2006.00304.x>  
*This paper exposes the reader to international agreements and initiatives on these topics, as well as challenges faced by the international community in truly addressing the relationship between climate change, natural disasters, and its repercussions for the sustainable development of affected countries. Delegates are particularly encouraged to browse the sections on linking climate change and disaster risk, as well as the authors' overview of the current international policy processes that relate to this sub-topic.*
- Schroeder, Matthew. (2004). *Small Arms, Terrorism and the OAS Firearms Convention*. Washington, D.C.: Federation of American Scientists, p.12-13. Retrieved July 11, 2006, from <http://www.fas.org/asmp/library/OAS/FullReport.pdf>

*In this paper, Matthew Schroeder gives readers a very good overview of the OAS Convention on firearms and its requirements for States Party, which is a fundamental instrument that delegates researching this sub-topic must be aware of. Moreover, this report analyzes four different threats faced by countries in the region: Latin America as a source of weapons for terrorists, kidnappings and violent crime, drug trafficking, and the collaboration between Latin American groups and foreign terrorist organizations.*

Tulchin, Joseph & Espach, Raplh. (2000). *Security in the Caribbean Basin: The Challenge of Regional Cooperation*. Boulder, CO: L. Rienner Publishers.

*Delegates are strongly encouraged to begin their research with this book, as it provides readers a good introduction to traditional and non-traditional Caribbean security issues. This book contains many chapters dedicated to specific security challenges faced by Caribbean States, from the impact of migration to the impact of narco-trafficking and organized crime and their vast adverse effects on the stability and security of Caribbean small island States. With that in mind, delegates are encouraged to begin their research of each sub-topic with the respective chapter in this book.*

United Nations. (1994). *Report of the Global Conference on the Sustainable Development of Small Island Developing States*. New York: United Nations. Retrieved July 26, 2006, from

<http://www.un.org/documents/ga/conf167/aconf167-9.htm>

*Delegates researching small island States must be fully aware of the main international agreements that pertain to these countries: the Barbados Declaration and the Barbados Programme of Action for the Sustainable Development of Small Island Developing States, both contained in this report. These two documents are the basis for international action relating to SIDS, and it is crucial that delegates are familiar with the provisions of the Declaration and the Programme of Action, as they specify the degree of commitment by the international community to SIDS issues.*

United Nations. (1998). *Guiding Principles: Political Declaration of Drug Demand Reduction and Measures to enhance International Cooperation to Counter the World Drug Problem*. New York: United Nations.

Retrieved July 26, 2006, from [http://www.unodc.org/pdf/report\\_1999-01-01\\_1.pdf](http://www.unodc.org/pdf/report_1999-01-01_1.pdf)

*The 1998 Political Declaration of Drug Demand Reduction and Measures to enhance International Cooperation to Counter the World Drug Problem are the most fundamental guidelines and principles in the international community's struggle against illicit drugs. Delegates addressing this sub-topic should be familiar with these principles as well as the current status of implementation of the various recommendations contained in this document.*

United Nations. (2005). *A/59/2005: In Larger Freedom: Towards Development, Security and Human Rights for All*. New York: United Nations. Retrieved July 27, 2006, from

<http://www.un.org/largerfreedom/contents.htm>

*The report of the Secretary General to the 2005 World Summit represents one of the most comprehensive efforts to outline a new direction for UN activities in the 21<sup>st</sup> century, providing directives that relate to every issue on the UN's agenda. Sections II (Freedom from Want) and III (Freedom from Fear) have recommendations that would directly affect the situation relating to the security concerns of small island States, as well as any States in the Americas. Delegates should be familiar with the recommendations within this report, as it provides an important glimpse at the new priorities for the UN System, which has definitive effects for security in all regions of the globe, the Caribbean included.*

United Nations. (2005). *A/RES/60/1: World Summit Outcome*. New York: United Nations. Retrieved July 12, 2006, from <http://www.un.org/summit2005/documents.html>

*To access the document, follow the link titled "2005 World Summit Outcome (15 September 2005). The 2005 World Summit is one of the most important gatherings of world leaders in recent UN history. The Summit's outcome document covers most areas of activities within the UN System, and provides delegates with commitments in all of these fields of operation. Delegates should look at the Summit's outcome*



*document for the most recent international commitments on all areas related to this topic, from organized crime to disaster reduction and climate change.*

United Nations. (2006). *Uniting against Terrorism: Recommendations for a Global Counter-terrorism Strategy*. New York: United Nations. Retrieved July 26, 2006, from <http://www.un.org/unitingagainstterrorism/sg-terrorism-2may06.pdf>

*This is the most recent set of initiatives and recommendations sponsored by the United Nations on the topic of international terrorism. Delegates wishing to address this sub-topic must be very familiar with these initiatives and areas of action. This report provides delegates with a plethora of international and national actions that can be implemented in order to confront the threat posed by international terrorism.*

United Nations Department of Economic and Social Affairs. (2006). *Who are the SIDS*. Retrieved July 11, 2006, from <http://www.un.org/esa/sustdev/sids/sidslist.htm>

*This Web site provides delegates with a current list of SIDS, including links to each country, where delegates can find specific data pertaining to their countries, as well as current reports on the status of the implementation of various national sustainable development initiatives. Moreover, the country links also contain recent statements and presentations made by Member States to the commission on Sustainable Development.*

United Nations Department of Economic and Social Affairs. (2006). *Small Island Developing States (SIDS)*. Retrieved July 11, 2006, from <http://www.un.org/esa/sustdev/sids/sids.htm>

*Delegates should constantly check current updates in this Web site, as it is the focal point for UN action pertaining to small island developing States and the Barbados Programme of Action. Delegates should be familiar with several of the reports and official documents contained herein, as well as with the organizations and networks that relate to SIDS. Delegates are encouraged to look at the international developments relating to SIDS, as many of these agreements and initiatives may provide solutions that can be adopted at the regional and sub-regional level, in order to resolve the challenges faced by small island States in the Americas.*

UNFCCC. (2006). *Future Effects*. Retrieved July 12, 2006, from [http://unfccc.int/essential\\_background/feeling\\_the\\_heat/items/2905.php](http://unfccc.int/essential_background/feeling_the_heat/items/2905.php)

*This section of the UNFCCC Web site provides delegates with an official UN overview of the many expected effects of climate change, thus allowing delegates access to a plethora of fairly reliable data on this issue. Delegates must be familiar with the potential impacts of climate change, particularly on small island States, as well as potential solutions for these challenges. Although not fully essential for the discussion, delegates can find here a plethora of additional scientific reports and information on the adverse effects of climate change on the human environment.*

UNFCCC. (2006). *Kyoto Protocol*. Retrieved July 12, 2006, from [http://unfccc.int/essential\\_background/kyoto\\_protocol/items/2830.php](http://unfccc.int/essential_background/kyoto_protocol/items/2830.php)

*Delegates researching this sub-topic (climate change), must be fully aware of the major international initiatives in this area, particularly the Kyoto Protocol to the UNFCCC and the process that led to its adoption and entry into force. Delegates must follow the links in the page in order to learn more about the Kyoto protocol, as well as its potential benefits for the reduction of greenhouse gas emissions worldwide.*

United Nations Office on Drugs and Crime. (2006). *About Us*. Retrieved July 11, 2006, from <http://www.unodc.org/unodc/en/about.html>

*The UN Office on Drugs and Crime is the focal point for UN action on various aspects of transnational organized crime. With that in mind, it is very important that delegates familiarize themselves with the many areas of operations of the UNODC, as it currently undertakes a plethora of programmes and projects that directly pertain to the issues faced by small island States in the field of security.*

United Nations Office on Drugs and Crime. (2006). *Drug Abuse and Demand Reduction*. Retrieved July 11, 2006, from [http://www.unodc.org/unodc/en/drug\\_demand\\_reduction.html](http://www.unodc.org/unodc/en/drug_demand_reduction.html)  
*Delegates researching this particular sub-topic must be familiar with current UN actions pertaining to the combat of drug production and demand worldwide. Delegates wishing to focus on this specific security concern of small island States should also be familiar with the international initiatives aimed at addressing the problem of international drug trafficking.*

United Nations Office on Drugs and Crime. (2006). *Global Programme against Money Laundering*. Retrieved July 26, 2006, from [http://www.unodc.org/unodc/money\\_laundering.html](http://www.unodc.org/unodc/money_laundering.html)  
*In order to holistically combat transnational organized crime in the region, delegates must be prepared to address the most important cross-cutting issues related to this sub-topic: money laundering. Delegates should be aware of international initiatives in this area, particularly the Global Programme against Money Laundering, as well as potential areas for improvement on the Programme. Moreover, this page contains links to specific areas of UNODC action on this issue, including the provision of technical assistance to Member States struggling with money laundering issues.*

United Nations Office on Drugs and Crime. (2006). *The United Nations Convention against Transnational Organized Crime and its Protocols*. Retrieved July 12, 2006, from [http://www.unodc.org/unodc/en/crime\\_cicp\\_convention.html#final](http://www.unodc.org/unodc/en/crime_cicp_convention.html#final)  
*Transnational organized crime in all its aspects has been identified as one of the main security concerns for small island States in the Caribbean region. With that in mind, it is crucial that delegates are familiar with the main and most comprehensive international agreement on this topic, the UN Convention against Transnational Organized Crime. This Web site will provide delegates with the full-text of the Convention and its Protocols, as well as some initiatives the UNODC undertakes in this field.*

United Nations Office on Drugs and Crime. (2006). *Trafficking in Persons: Global Patterns*. Vienna: UNODC. Retrieved July 26, 2006, from [http://www.unodc.org/pdf/traffickinginpersons\\_report\\_2006ver2.pdf](http://www.unodc.org/pdf/traffickinginpersons_report_2006ver2.pdf)  
*This report by the UN Office on Drugs and Crime is the most comprehensive and official source of information on international and regional developments in this field, and an excellent starting point for delegates researching this particular form of transnational organized crime. Delegates are encouraged to examine the regional overview for Latin America and the Caribbean, as well as the report descriptions and data on the many initiatives carried out by the UNODC Global Programme against Human Trafficking.*

### ***Additional Sources***

Association of Caribbean States. (2006). *Association of Caribbean States*. Retrieved July 27, 2006, from <http://www.acs-aec.org/>

*Together with CARICOM, the Association of Caribbean States (ACS) is responsible for most efforts of sub-regional cooperation by countries in the Caribbean Basin. Delegates are encouraged to look further into the ACS Summits and decisions, particularly those related to natural disaster prevention and preparedness. The Web site section on natural disasters outlines, in depth, the current mechanisms available to Caribbean States in addressing their vulnerabilities to natural disasters.*

International Strategy for Disaster Reduction. (2006). *International Strategy for Disaster Reduction*. Retrieved July 27, 2006, from <http://www.unisdr.org/>

*Delegates wishing to fully grasp the international initiatives pertaining to disaster reduction are encouraged to explore this Web site, as it provides a variety of information, such as statistics, programs and initiatives, as well as documentation relating to international disaster reduction efforts.*

Organization of American states. (2003). *OAS Special Conference on Security*. Retrieved July 27, 2006, from <http://www.oas.org/csh/CES/en/>

*The OAS Special Conference on Security is the most important gathering of OAS policy-makers on the common security threats faced by countries in the Americas, thus warranting special attention from delegates. Moreover, this site contains links to a variety of documentation preceding the conference, as well as the Declaration on the Security in the Americas (OEA/Ser.K/XXXVIII), which is one of the most comprehensive set of recommendations regarding regional security within the framework of the OAS.*

Organization of American States. (2006). *Documents*. Retrieved July 27, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/documents/eng/documents.asp>  
*In order to truly be abreast of the current status of negotiations on the many issues at hand, delegates must be familiar with the official OAS documentation, and this section of the OAS Web site contains all official such documentation to date. Delegates must be very familiar with some of the documents found in this site, as they relate to every issue addressed in this topic guide. It is worth mentioning, however, that the documentation pertaining to the most recent session of the OAS General Assembly (36<sup>th</sup> Session), can be found in a link of the main OAS Web site.*

Organization of American States. (2006). *Permanent Council of the OAS - Committee on Hemispheric Security*. Retrieved July 27, 2006, from <http://www.oas.org/csh/english/default.asp>  
*The Committee on Hemispheric Security of the OAS, as the name suggests, is the main forum for regional discussion of security threats faced by the Inter-American System. This site contains links to specific areas of concern and action by the OAS, and delegates are encouraged to explore the links relating to "natural disaster reduction" and "special security concerns of small island States," for a variety of documentation pertaining to these topics.*

Organization of American States. (2006). *Summit of the Americas Information Network - Hemispheric Security*. Retrieved July 27, 2006, from <http://www.summit-americas.org/Quebec-hem-security/hem-security-eng.htm>  
*The Summit of the Americas process represents the highest level of decision-making in the Inter-American System. Therefore, it is important that delegates are familiar with the Summit of Americas decisions and resolutions that pertain to security challenges in the Americas.*

Small Island Developing States Network. (2006). *Small Island Developing States Network*. Retrieved July 27, 2006, from <http://www.sidsnet.org/>  
*The Small Island Developing States Network is the principal group in which small island States participate and band together when negotiating international agreements that pertain to their interests. With that in mind, delegates (particularly those of small island States) are encouraged to familiarize themselves with the SIDS Network, as well as the many ways in which the group advocates for the interests of SIDS in the various international fora.*

## ***II. Organization of American States and Free Trade Areas***

Andean Community. (n.d.). *Who are we?* Retrieved July 5, 2006, from <http://www.comunidadandina.org/ingles/who.htm>.  
*A general introduction to the Andean Community can be found here. The site includes information on CAN Member States, a chronology of the group, and also links to associated bodies. This site serves as a good starting place for those wishing to know more about the Andean Community. The chronology shows the foundation and course of expansion taken by the group. The page also includes links to a history of the organization, as well as treaties and other documents important to the organization.*

Arreaza, Teresa. (2004, January). *ALBA: Bolivarian Alternative for Latin America and the Caribbean*. Retrieved August 7, 2006 from <http://www.venezuelanalysis.com/docs.php?dno=1010>.  
*This article provides an overview of ALBA, and illustrates the extent of Venezuelan support for this initiative. The article provides a rudimentary introduction to ALBA, as well as sharp criticisms against the FTAA. Furthermore, the author blatantly discusses the mostly political benefits of ALBA; that is as a counterweight to United States influence in the region.*

- Bachelet, P. (2006, June 9). OAS leader charts an independent course. *Miami herald*. Retrieved July 14, 2006, from <http://www.miami.com/mld/miamiherald/news/14776264.htm>.  
*Jose Miguel Insulza of Chile was elected to the position of Secretary-General of the OAS in May 2005. While providing an introduction of the approaches taken to issues facing the OAS by Secretary-General Insulza, the article was used in this section for the short discussion of the Secretary-General's stance on the FTAA. The article may also provide delegates with a general background on OAS and the OAS secretariat especially.*
- Barbosa, R. (2002, October). Brazil and the United States: Overcoming obstacles to an FTAA. *Economic Perspectives*. Retrieved August 7, 2006 from <http://usinfo.state.gov/journals/ites/1002/ijee/ftaa-barbosa.htm>.  
*This article outlines the position of Brazil toward the United States' efforts toward an FTAA. While Brazil has been a strong proponent of MERCOSUR, this article shows another side of Brazilian foreign policy. Of note is the reiteration of Brazil's commitment to the Miami Declaration.*
- Blustein, P. (2005). *And the money kept rolling in (and out): Wall Street, the IMF, and the bankrupting of Argentina*. New York, NY: Public Affairs.  
*This book provides a pertinent case study of the role the actors promoting the Washington Consensus agenda played in the financial crisis in Argentina in 2001-2002. Here, the author offers insider information to the workings of the IMF and Wall Street. Intimate accounts from the experience of "ordinary people" in Argentina during the crisis are also included.*
- British Columbia (Government of). (n.d.) *North American Free Trade Agreement (NAFTA)-overview*. Retrieved July 24, 2006 from <http://www.ei.gov.bc.ca/ProgramsAndServices/Trade/NAFTA.htm>.  
*This web site provides one of the most complete, yet brief overviews of NAFTA available. The article is provided by the Canadian government, and as such emphasizes benefits to the Canadian economy achieved through NAFTA. Notably, this overview does not refrain from discussing U.S. antidumping and other actions that contradict efforts toward a completely free trade.*
- Canada-United States. (1989). *Canada-United States Free Trade Agreement*. Retrieved September 2, 2006, from <http://www.worldtradelaw.net/nafta/CUSFTA.pdf>.  
*The Canada-United States Free Trade Agreement was the first free trade agreement in the Western Hemisphere. By following this link, one might find the text of the Canada-United States Free Trade Agreement. Particular attention may be paid to Article 102, where the objectives of the agreement are outlined.*
- Central American Free Trade Agreement-Dominican Republic. (2004, August 5). Article one. In CAFTA-DR final text. Retrieved July 11, 2006, from [http://www.ustr.gov/Trade\\_Agreements/Bilateral/CAFTA/CAFTA-DR\\_Final\\_Texts/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/CAFTA/CAFTA-DR_Final_Texts/Section_Index.html).  
*The text of the entire text of the United States-Central American Free Trade Agreement-Dominican Republic may be found here. Objectives of the agreement are found in Article One. Attention should be paid not just to the aspects of the treaty relating to the Dominican Republic, but also to CAFTA Member States as a whole. Note that this is the first free trade agreement of any sort in the Americas to integrate a Caribbean member.*
- Cleft, J. (2003, September). Beyond the Washington consensus. In *Finance and Development*. Retrieved July 11, 2006, from <http://www.imf.org/external/pubs/ft/fandd/2003/09/pdf/clift.pdf>.  
*This article from the International Monetary Fund's Finance and Development publication offers insights into the role played by the United States government and journalists in Latin American economies. Specifically, the article provides an introduction to a longer article discussing the origins of the Washington Consensus by giving an overview of the financial situation at the time the phrase was coined. Delegates may find this useful for creating a context through which to understand the current state of their economies.*

- Foreign Affairs and International Trade Canada. (2006, February 21). Canada and the North American Free Trade Agreement. Retrieved July 13, 2006, from <http://www.dfait-maeci.gc.ca/nafta-alena/menu-en.asp>. *This Web site provides an overview of NAFTA from the point of view of the Canadian government. Here, links are also available to the NAFTA treaty, speeches and publications, and success stories related to NAFTA. The information presented here is supportive of trade liberalization and NAFTA policies.*
- Espinosa, J. E., Serra, J., Cavanagh, J., & Anderson, S. (2003, September/October). Happily ever NAFTA? *Foreign Policy*. Retrieved July 12, 2006, from [http://www.foreignpolicy.com/story/cms.php?story\\_id=2458](http://www.foreignpolicy.com/story/cms.php?story_id=2458). *This article provides analysis of NAFTA nine years after its adoption. The article contains an initial assessment by Cavanagh and Anderson, followed by a response from Espinosa and Serra, and finally a rebuttal from. While both sets of authors have clear biases, the information presented offers a well-rounded approach to the topic. The journal provides a small "sidebar" with information on NAFTA's performance as well. Analyzing the effects NAFTA has had on the economies of Canada, Mexico, and the United States may provide delegates with information useful for researching the positive and negative impacts free trade agreements have or may have in their state.*
- Hanson, G. H. (2004). What has happened to wages in Mexico since NAFTA? Implications for hemispheric free trade. In A. Estevadeordal, D. Rodrik, A. M. Taylor, & A. Velasco (Eds.), *Integrating the Americas: FTAA and beyond*, (p. 505-537). Cambridge, Massachusetts: Harvard University. *Integrating the Americas: FTAA and Beyond provides a very extensive overview of the Free Trade Agreement of the Americas, its history, and prospects. Of special note is Part IV: Negotiating the FTAA agreement: Traditional and new issues. While the work in entirety is relevant and recommended to delegates, for the purposes of this guide, only the section by Hanson was used.*
- Treaty Establishing the Latin American Integration Association (ALADI) (Treaty of Montevideo), August 12, 1980, 1329 UNTS 225, 20 ILM 672 (1981). *The second Treaty of Montevideo is available through the OAS' Foreign Trade Information System- SICE. The treaty is one of the core documents pertaining to free trade agreements in the Americas. A copy of the treaty can be found at [http://www.sice.oas.org/trade/Montev\\_tr/indexe.asp](http://www.sice.oas.org/trade/Montev_tr/indexe.asp).*
- Jaguaribe, H., & de Vasconcelos, A. (Eds.). (2003). *The European Union, MERCOSUL, and the new world order*. London: Frank Cass. *Jaguaribe and de Vasconcelos illustrate how regional trade agreements affect the global order. While the work primarily focuses on the impact of trade organizations on the international system as a whole, sections delve deeply in the ramifications MERCOSUR holds for Brazil, Argentina, and other MERCOSUR states. The work also shows how the relationship between MERCOSUR states and the US has evolved since the Treaty of Asuncion, and prospects for the future for MERCOSUR.*
- James, Deborah. (2004, November). *Summit of the Americas, Argentina: tomb of the FTAA*. Retrieved August 7, 2006 from <http://www.globalexchange.org/campaigns/ftaa/3615.html>. *Largely supportive of Venezuelan President Hugo Chavez's stance on the FTAA, this article celebrates the collapse of FTAA talks at Mar del Plata. As the opposition to the FTAA grows, it has become another front for the conflict between the Bush administration and populist leaders in South America. This article explores the conflict from the Venezuelan viewpoint.*
- Johnson, E. (2004, January/February). Brazil's balancing act. *Foreign Policy*. Retrieved July 12, 2006, from [http://www.foreignpolicy.com/story/cms.php?story\\_id=2451](http://www.foreignpolicy.com/story/cms.php?story_id=2451). *This author of this article analyzes the balance Brazil plays in seriously pursuing the MERCOSUR agenda while also embracing its role as the largest and most powerful economy in South America. The article was written directly following the breakdown of the World Trade Organization meeting in Cancun. The article originally appeared in Estudios Avanzados (Advanced Studies).*
- Jurenas, Remy. (2004). *Agriculture in the US-Central American Free Trade Agreement (CAFTA)*. Retrieved August 7, 2006 from <http://www.cnie.org/nle/crsreports/briefingbooks/Agriculture/Agriculture%20in%20the%20US-Central%20American.htm>.

*This policy brief exhaustively explains the United States' take on CAFTA. The brief defends United States policies toward farm subsidies. Benefits to the United States via CAFTA are also discussed, but little is mentioned on consequences to other CAFTA members.*

Latin American Integration Association. (n.d.). *Overview*. In ALADI: About us. Retrieved July 5, 2006, from <http://www.aladi.org/NSFALADI/SITIO.NSF/INICIO>.

*This page contains general information on the Latin American Integration Association, as well as links to documents important to the organization. An overview of the Montevideo Treaty from 1980 ("TM80") is also included. Unfortunately, much of the information from this site is not presented in English.*

Magna Carta. (2006). In *the text of the Magna Carta*. Retrieved November 8, 2006, from Fordham University: <http://www.fordham.edu/halsall/source/magnacarta.html>.

Organization of American States. (2005, November). *Mar del Plata Declaration*. Retrieved July 12, 2006 from <http://www.summit-americas.org/Documents%20for%20Argentina%20Summit%202005/IV%20Summit/Declaracion/Declaracion%20IV%20Cumbre-eng%20nov5%209pm%20rev.1.pdf>.

*The most recent Summit of the Americas was held in Mar del Plata, Argentina. The Declaration resulting from this summit is linked above. The sections discussing the FTAA, Articles 19 A and 19B, are most relevant to delegates.*

Organization of American States. (1994, December). *Miami Declaration*. Retrieved July 12, 2006, from <http://www.summit-americas.org/miamidec.htm>.

*This Web site links to the Declaration of Principles resulting from the First Summit of the Americas, held in Miami in 1994. The Declaration provides the most optimistic look at the FTAA from the point of view of OAS to date. Delegates might find it useful to compare this Declaration to others from previous Summits of the Americas.*

Porrata-Doria, Jr., R. A. (2005). *MERCOSUR: The common market of the Southern cone*. Durham, North Carolina: Carolina Academic Press.

*This is an excellent resource to find more information on the evolution of free trade movements in the Americas. The book contains an in-depth history of MERCOSUR beginning with the rise and fall of LAFTA as well as overviews of MERCOSUR structure and key documents, with the full text of each treaty of import for the MERCOSUR organization.*

Singh, A., Belaisch, A., Collyns, C., De Masi, P., Krieger, R., Meredith, G., et al. (2005). *Stabilization and reform in Latin America: A macroeconomic perspective on the experience since the early 1990s (Occasional Paper No. 238)*. Washington, DC: International Monetary Fund. Retrieved July 12, 2006, from <http://www.imf.org/external/pubs/ft/op/238/pdf/foreword.pdf>.

*While the paper as a whole contains information that may prove to be valuable for delegates, the Executive Summary contains figures and tables useful for generating this guide. The paper serves as an overview of the success and failures of the Washington Consensus in Central and South America. The article also explores new options for fighting poverty in the Americas.*

Southern Cone Common Market (MERCOSUR). (n.d.). *MERCOSUR*. Retrieved July 6, 2006, from <http://www.mercosur.int/msweb/principal/contenido.asp>.

*While MERCOSUR (MERCOSUL in the Portuguese abbreviation) only publishes documents in Spanish or Portuguese, those fluent in either language will find this site useful in understanding the MERCOSUR organization. Links to publications, information on MERCOSUR structure, and updates on MERCOSUR activities may be found here. While information directly from the organization in question may be important, much has been published on MERCOSUR, and delegates should have little difficulty finding print sources in English.*

Treaty on free trade between the Republic of Colombia, the Republic of Venezuela, and the United Mexican States. (Opened for signature June 13, 1994). Cartagena de Indias, Colombia.

*The Group of Three founding document may be found by following this link from the Foreign Trade Information System Web site: [http://www.sice.oas.org/trade/G3\\_E/G3EC1.asp](http://www.sice.oas.org/trade/G3_E/G3EC1.asp) The treaty includes provisions for standards among the Group of Three Treaty members and members of the 1980 Treaty of Montevideo. Delegates may also note the emphasis is placed on outlining products approved for free trade, as opposed to other treaties where the emphasis is placed on outlining the products exempt from free trade.*

United States Trade Representative. (n.d.). *United States Trade Representative*. Retrieved July 11, 2006, from [http://www.ustr.gov/Trade\\_Agreements/Bilateral/CAFTA/CAFTA-DR\\_Final\\_Texts/Section\\_Index.html](http://www.ustr.gov/Trade_Agreements/Bilateral/CAFTA/CAFTA-DR_Final_Texts/Section_Index.html). *This website provides a brief synopsis of developments regarding the US-CAFTA-DR trade agreement as well as links to updates to the negotiations. Here, delegates may also find a full text of the CAFTA agreement. It is of note that the United States Trade Representative manages the website, therefore information favors the agreement.*

United States Department of Agriculture. (2006, June 30). *The North American Free Trade Agreement*. Retrieved July 11, 2006, from <http://ffas.usda.gov/itp/Policy/NAFTA/nafta.html>. *Very current information on NAFTA from the perspective of the United States is presented here. Links to a variety of sources regarding NAFTA are included, among them are several reports and multimedia presentations. As a site sponsored by the United States, bias toward NAFTA and the United States are clearly present.*

Valenzuela, A. (2005, December). Putting Latin America back on the map. *Finance & Development*, 42(4). Retrieved July 11, 2006, from <http://www.imf.org/external/pubs/ft/fandd/2005/12/valenzue.htm>. *This article analyzes the links between free trade and the spread of democratic institutions in Latin America. The article shows that the spread of democratic institutions begets the spread of financial stability. The author is a former United States official, but is currently employed as a professor and Director of the Center for Latin American Studies at Georgetown University.*

Williamson, J. (2003, September). From reform agenda to damaged brand name. In *Finance & Development*. Retrieved July 11, 2006, from: <http://www.imf.org/external/pubs/ft/fandd/2003/09/pdf/williams.pdf>. *This article focuses primarily on the evolution of the connotations associated with the ideas of the Washington Consensus. The article provides a full outline of the original ten reforms of the Washington Consensus as proposed by the author. It is of note that the article is found in a publication of the International Monetary Fund, and as such may be viewed as biased in this direction.*

### ***Additional Sources***

Smith, Adam. (1776, Oxford World Classics 1993). *An inquiry into the nature and causes of the wealth of nations*. Oxford, United Kingdom: Oxford University Press. *As a primer on political economy, the works of Adam Smith are an excellent resource. While the author covers a diverse range of topics, his writings especially show how current economic "trends" are rooted in historic ideas. What we may think of as modern neo-liberalism can be traced directly to Adam Smith's theories.*

### ***III. Evaluating Human Rights in the Americas***

Cevallos, Diego. (2005, December 19). Indigenous Leaders Celebrate Morales Victory. *Inter Press News Agency online*. Retrieved July 19, 2006, from <http://www.ipsnews.net/news.asp?idnews=31494> *It is important that delegates follow closely the political developments in Latin America. As such, this article provides readers with a good overview of recent developments related to indigenous movements throughout Latin America which have opened new doors for indigenous rights in the region. The article is a good first read on the issue, but should be followed by the more in depth readings mentioned in this bibliography.*

Cleary, Edward. (1997). *The Struggle for Human Rights in Latin America*. Westport, Conn.: Praeger, 1997.





*to which their countries are party, as this may provide them with insights as to what human rights issues are currently dealt with by their national human rights systems.*

Inter-American Commission on Human Rights. (2000, October 18). *The Human Rights Situation of the Indigenous People in the Americas*. Retrieved July 19, 2006, from <http://www.cidh.org/Indigenas/TOC.htm>  
*The report contains a very good overview of the rise of indigenous issues in the OAS agenda, as well as very specific information on cases brought before the Commission throughout its existence. Moreover, the report includes a good overview of how indigenous issues are covered in the few existing international instruments, such as the two ILO Conventions on indigenous rights.*

Inter-American Commission on Human Rights. (2006). *Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights*. Retrieved August 11, 2006, from <http://www.cidh.org/Basicos/basic6.htm>  
*As delegates research this particular sub-topic, it is crucial that they observe the current status of the most important agreement on ESCR in the Latin American region. With that in mind, this page provides delegates with the current status of signatures and ratifications to the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights. By following some of the links on this page, delegates may find the full-texts of this Protocol as well as those of other Inter-American agreements.*

Inter-American Commission on Human Rights. (2006). *What is the IACHR?*. Retrieved July 12, 2006, from <http://www.cidh.org/what.htm>  
*The IACHR is one of the foremost human rights institutions in the region, and delegates must be very familiar with its work and recent developments. This page provides delegates with a brief history of the Inter-American Commission as well as its function, and delegates must delve deeper in this Web site, in order to better understand the Commission. This page, in addition to the Commission's Web site are a good place for delegates to further their research of this particular institution within the Inter-American System.*

Inter-American Court of Human Rights. (2006). *History*. Retrieved July 12, 2006, from <http://www.corteidh.or.cr/historia.cfm?&CFID=12435&CFTOKEN=20877793>  
*This introductory page to the Inter-American Court provides delegates with links to the American Convention on Human Rights, as well as a very user-friendly database of many cases, provisional measures, or advisory opinions issued relating to each country in the Americas. Moreover, this page provides a link to the Inter-American Institute of Human Rights, the premier regional institution devoted to the studies of human rights issues in the region (some of the information in the Institute's Web site is only available in Spanish).*

Inter-American Court of Human Rights. (2005). *Inter-American Court of Human Rights: Annual Report 2005*. Retrieved July 12, 2006, from <http://www.corteidh.or.cr/informes.cfm>  
*The most recent Annual Report available online. This report provides an overview of the history of the Court, as well as its three main functions, in adjudicating "contentious cases," and providing "provisional measure" and "Advisory opinions." Finally, the report provides delegates with the most recent developments in the Court, including a case-by-case summary of the Court's proceedings.*

International Ombudsman Institute. (2006). *The History and Development of the Public Sector Ombudsman Office*. Retrieved July 13, 2006, from <http://www.law.ualberta.ca/centres/ioi/eng/history.html>  
*The International Ombudsman Institute (IOI) is a worldwide network organization of ombudsman offices, whose secretariat is hosted by the University of Alberta, Edmonton, Canada. The IOI contains a considerable amount of useful information regarding national ombudsman offices throughout the globe. However, several of its publications are only available in hard-copy, which considerably limits its accessibility to readers. Nevertheless, the site contains several accessible bits of information pertaining to the role of the ombudsman within the international human rights system.*

International Service for Human Rights. (2006). *A New Chapter for Human Rights: A handbook on issues of transition from the Commission on Human Rights to the Human Rights Council*. Retrieved August 11, 2006, from <http://www.ishr.ch/handbook/index.htm>

*Delegates wishing to better understand the newly established Human Rights Council are strongly urged to look at this manual developed by the International Service for Human Rights, as it is the best source of information on some of the issues relating to the transition between the Commission on Human Rights and the new Council. This work outlines every issue of transition between the former Commission on Human Rights and the Council, and it provides readers with an update on many of the most recent developments in the field of human rights, such as the draft additional protocol to the International Covenant on Economic, social and Cultural Rights, and the draft international declaration on the rights of indigenous peoples.*

International Service for Human Rights. (2006, February 3). *Full Report - 11th Session of the Working Group on the Draft UN Declaration on the Rights of Indigenous Peoples*. Retrieved July 19, 2006, from <http://www.ishr.ch/About%20UN/Reports%20and%20Analysis/CHRWG/WGDDIP/WGDDIP-11thSessionFullReport.pdf>

*This report by the International Service for Human Rights provides delegates with some of the best and up to date information on international negotiations pertaining to indigenous rights, particularly regarding the codification of indigenous rights at the international level. The report covers the 11<sup>th</sup> session of the UN working group in charge of negotiating an international declaration on indigenous rights, and provides in depth insights into the outstanding issues.*

International Service for Human Rights. (2004). *Inter-American Human Rights System*. Retrieved July 12, 2006, from <http://www.ishr.ch/About%20UN/UN%20System/InfoPack/InterAmericanHRSystem.pdf>

*Delegates beginning their research on the Inter-American human rights System are encouraged to begin with this brief paper by the International Service for Human Rights, as it provides a good introduction to the Inter-American System. This paper is a good start for all delegates, as it provides delegates with a concise historical overview of the system, as well as a good look at the functions and mechanisms used by the Commission and the Court in order to achieve their mandates.*

International Service for Human Rights. (2006). *Open-Ended Working Group to Consider Options Regarding the Elaboration of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*. Retrieved August 11, 2006, from <http://www.ishr.ch/hrm/WGOPICESCR/3rdSession.pdf>

*This report is an excellent source of up to date information on the current status of negotiations of the additional Protocol to the International Covenant on Economic, Social and Cultural Rights. The International Service for Human Rights provides readers with a fairly unbiased overview of the main developments, including remaining points of contention. This report is fundamental for any delegates wishing to be fully up to par on developments in this particular issue.*

Latin America and the Caribbean: The Facts [Special section]. (2003, May). *New Internationalist*, (356), 18-19.

*In order to develop solutions to the challenges faced by Latin American countries in the realization of ESCR in the region delegates must be familiar with the major developmental indicators in the Latin America and Caribbean region. The article provides the current status of issues such as the environment, human rights, social exclusion, and other indicators, and is a good source for fast statistics on the overarching developmental affairs in the region.*

Melish, Tara. (2002). *Protecting Economic, Social and Cultural Rights in the Inter-American System: A Manual for Presenting Claims*. Ecuador: Centro de Derechos Economicos y Sociales,

*Tara Melish's manual is one of the most comprehensive sources relating to the many issues surrounding the promotion and protection of economic, social and cultural rights in the Americas, including a vast amount of information on the debate regarding the "enforceability" of ESCR. Although the latter part of the book may be much more technical than necessary for the simulation, the first section of the book is one of the most comprehensive looks at the source for the protection of ESCR in the region, as well as a truly in depth analysis of the reasons why ESCR has been largely unenforceable throughout the region, as well as the globe.*

- Mendez, Juan E. & Mariezcuerrena, Javier. (2000). *Human Rights in Latin America and the Caribbean: a Regional Perspective* (paper submitted to the Human Development Report 2000 "Human Rights and Human Development"). Retrieved July 13, 2006, from [http://hdr.undp.org/docs/publications/background\\_papers/mendez2000.pdf](http://hdr.undp.org/docs/publications/background_papers/mendez2000.pdf)  
*The authors of this paper, part of the 2000 Human Development Report, systematically describe both human rights instruments and institutions in the region, including a very good section on national human rights institutions. Finally, the authors conclude their paper with a brief yet elucidative look at two issues of concern to this body: indigenous rights and the pervasive socio-economic exclusion of large segments of local populations throughout the region.*
- Office of the High Commission for Human Rights. (1996). *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*. Retrieved July 12, 2006, from <http://www.unhchr.ch/html/menu6/2/fs2.htm>  
*As the cornerstone of the international human rights system, it is fundamental that delegates are very familiar with the International Bill of Human Rights. To this end, this fact-sheet, provided by the UN Office of the High Commissioner for Human Rights, is a very good introduction to the international system of human rights, which is based on the International Bill of Human Rights as well as many additional treaties and declarations. It is crucial that delegates have an understanding of the international human rights system at large, as well as an understanding of how that system relates to the Inter-American System.*
- Office of the High Commissioner for Human Rights. (1993, April). *Fact Sheet No.19, National Institutions for the Promotion and Protection of Human Rights*. Geneva: United Nations. Retrieved July 13, 2006, from <http://www.ohchr.org/english/about/publications/docs/fs19.htm>  
*National Human Rights institutions are one of the most effective mechanisms for the promotion and protection of human rights, and delegates must be familiar with the functioning of these institutions, particularly in their countries. Moreover, delegates researching the role of national institutions are encouraged to look at the Principles relating to the status and functioning of national institutions for the protection and promotion of human rights (Paris Principles) that guide the work of these institutions worldwide.*
- Office of the High Commissioner for Human Rights. (2006). *International Law*. Retrieved August 11, 2006, from <http://www.ohchr.org/english/law/index.htm>  
*When researching this topic delegates must be fully aware of the many complementing human rights instruments and machinery, at both regional and international levels. To this effect, delegates are encouraged to explore this section of the OHCHR Web site, as it provides readers with the full texts, status, and overseeing bodies of all major international human rights agreements. Delegates are encouraged to check the agreements that relate to the topics outlined in this topic guide. Moreover, delegates should check the status of ratification for their countries for each human rights agreement relevant to the topics at hand.*
- Organization of American States. (2006, June 6). *AG/RES. 2234 (XXXVI-O/06): American Declaration on the Rights of Indigenous Peoples*. Retrieved July 19, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/36AG/>  
*Delegates researching this sub-topic must be familiar with recent regional developments towards the codification of indigenous rights in the Americas. In this light, AG/RES. 2234 (XXXVI-O/06) is the most recent OAS General Assembly resolution on this issue, and provides delegates with the most recent set of actions taken by OAS Member States pertaining to indigenous rights. Delegates should be familiar with the contents of this resolution, as well as other official OAS documentation related to indigenous issues.*
- Organization of American States. (2006). *Key OAS Issues: Protecting Human Rights*. Retrieved July 12, 2006, from [http://www.oas.org/key\\_issues/eng/KeyIssue\\_Detail.asp?kis\\_sec=2](http://www.oas.org/key_issues/eng/KeyIssue_Detail.asp?kis_sec=2)  
*This page is a good start for delegates researching this topic, as it provides delegates with links to the main instruments and institutions within the Inter-American System of human rights. Just as with some of the other introductory sources provided in the bibliography, the information in this*

*page should be complemented with an in depth look at the specific human rights issues faced by countries in the region, as well as an updated look at the current status of inter-governmental negotiations pertaining to these issues.*

Organization of American States. (2006, March 25). *GT/DADIN/doc.260/06: Record of the Current Status of the Draft American Declaration on the Rights of Indigenous Peoples*. Retrieved July 19, 2006, from [http://www.oas.org/documents/Racismo/RECORD\\_OF\\_THE\\_CURRENT\\_STATUS.doc](http://www.oas.org/documents/Racismo/RECORD_OF_THE_CURRENT_STATUS.doc)  
*Delegates with a good understanding of the major issues pertaining to the protection of indigenous rights in the Americas are encouraged to explore this very informative, albeit technical, report on the current status of the proposed American Convention on the Rights of Indigenous Peoples. This report will enable delegates to truly understand the peculiar negotiating process of an international human rights instrument. Delegates are encouraged to study the most recent level of agreement on the different clauses of the proposed declaration (39 in total), thus providing delegates with the current areas of contention, as well as areas of potential action in the protection and promotion of indigenous rights.*

Organization of American States. (2006, June). *Key OAS Issues: The Rights of Indigenous Peoples*. Retrieved July 19, 2006, from [http://www.oas.org/key\\_issues/eng/KeyIssue\\_Detail.asp?kis\\_sec=13](http://www.oas.org/key_issues/eng/KeyIssue_Detail.asp?kis_sec=13)  
*This page provides delegates with a good starting point in their research of the rights of indigenous populations, through a very basic overview of the OAS' actions related to indigenous rights. It briefly covers the rise of indigenous issues in the OAS agenda, as well as a brief section on the current developments regarding the adoption of the American Declaration on the Rights of Indigenous Peoples.*

Reif, Linda C. (2004). *The Ombudsman, Good Governance, and the International Human Rights System*. Leiden; Boston: Martinus Nijhoff Publishers.  
*Reif's book is the premier source for the rise of the office of the Ombudsman (and other national human rights institutions) at the national and even the international level. Her book should be a primary source of information for delegates wishing to fully understand the nature of national human rights mechanism, as well as ways in which to make these systems perform to the best of their yet largely untapped potential.*

United Nations. (2005). *A/RES/60/1: World Summit Outcome*. New York: United Nations. Retrieved August 12, 2006, from <http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN021752.pdf#search=%22A%20FRES%20F60%20F1%3A%20World%20Summit%20Outcome%22>  
*The Outcome Document of the 2005 World Summit represents one of the most comprehensive set of agreements and directions set by the international community on a plethora of issues. Delegates should be very familiar with this document, particularly the sections on human rights. Amongst other actions, this document was the originator of the Human Rights Council, which replaced the antiquated UN Commission on Human Rights.*

UN Human Rights Council. (2006). *Human Rights Council Concludes First Session*. Retrieved July 12, 2006, from [www.unhchr.ch/hurricane/hurricane.nsf/view01/13C5B111105739B5C125719F0077680D?opendocument](http://www.unhchr.ch/hurricane/hurricane.nsf/view01/13C5B111105739B5C125719F0077680D?opendocument)  
*The Human Rights Council replaces the UN Commission on Human Rights, and it provides the UN with a fresh mechanism for the promotion and protection of human rights worldwide. Among the many topics addressed by the Council, two are of considerable relevance to the topic at hand: the adoption of a United Nations Declaration on the Rights of Indigenous Peoples, and the continued negotiations on an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, providing a mechanism for national complaints to be filed with the Council, just as allowed by other existing human rights treaties.*

UN Permanent Forum on Indigenous Issues. (n.d.). *Structure within ECOSOC*. Retrieved July 19, 2006, from <http://www.un.org/esa/socdev/unpfii/en/structure.html>  
*The UN Permanent Forum on Indigenous Issues is the main mechanism for the monitoring of the protection of indigenous rights internationally, acting as an advisory body of ECOSOC. Delegates*

*are encouraged to peruse the Forum's Web site as it contains a variety of international initiatives carried out by the international community pertaining to indigenous issues. Many of these initiatives could be adapted into a regional approach for American countries.*

UN Permanent Forum on Indigenous Issues. (n.d.). *About us/Mandate*. Retrieved July 19, 2006, from [http://www.un.org/esa/socdev/unpfii/en/about\\_us.html](http://www.un.org/esa/socdev/unpfii/en/about_us.html)

*Similar to the citation above, this section of the UN Forum's Web site overviews, in more detail, the mandate of the Forum. This section also includes a brief history behind the creation of the forum, including the many preparatory meetings that led to the creation of the Permanent Forum. Finally, this site provides a brief overview of the first years of operation of the Forum, which started its operations in 2002.*

UN Permanent Forum on Indigenous Issues. (n.d.). *Second International Decade of the World's Indigenous People*. Retrieved July 19, 2006, from <http://www.un.org/esa/socdev/unpfii/en/second.html>

*This section of the UN Forum's Web site provides delegates with a link to the Programme of Action of the Second International Decade of the World's Indigenous People, as well as other initiatives related to the Second Decade. Delegates should be familiar with the Programme of Action, as it provides very detailed national, regional, and international actions that should be undertaken in order to promote and protect the rights of indigenous populations.*

#### **Additional Sources:**

Human Rights Watch. (2006). *Human Rights Watch*. Retrieved July 18, 2006, from <http://www.hrw.org/>

*Human Rights Watch is one of the primary international non-governmental organizations that monitors and promotes human rights at the international, regional and national levels. The Web site contains recent human rights developments, as well as a multitude of information on the human rights situation in every country on the globe. The Web site also contains a useful section, where delegates can find the organization's regional overview of annual human rights developments.*

Inter-American Commission on Human Rights. (2006). *The Inter-American Commission on Human Rights*. Retrieved July 18, 2006, from <http://www.cidh.org/DefaultE.htm>

*The official site of the Inter-American Commission provides delegates with a variety of very useful information, including the texts of the Inter-American instruments, reports by the Commission, as well as publications such as special reports and country reports of the Commission. Moreover, this site contains links to all of the cases before the Commission as well as statements by presidents of the Commission and information on the three special rapporteurs sponsored by the IACHR.*

Inter-American Court of Human Rights. (2006). *Inter-American Court of Human Rights*. Retrieved July 18, 2006, from <http://www.corteidh.or.cr/>

*This is the official site of the Inter-American Court containing information on its structure, history and most recent cases. Delegates are encouraged to browse through the various links in this site in order to gather information pertaining to specific cases of interest to their country.*

International Service for Human Rights. (2006). *International Service for Human Rights*. Retrieved July 18, 2006, from <http://www.ishr.ch/>

*The ISHR is another non-governmental organization that "promotes the development, strengthening, effective use and implementation of international and regional law and mechanisms for the protection and promotion of human rights." This Web site contains very useful information on regional human rights mechanisms as well as news and articles on recent human rights developments.*

Office of the UN High Commissioner on Human Rights. (2006). *United Nations Human Rights Council*. Retrieved July 18, 2006, from <http://www.ohchr.org/english/bodies/hrcouncil/>

*This page, hosted by the Office of the UN High Commissioner for Human Rights, provides a large amount of information on this new UN body, including official documentation, and recent developments. Delegates should closely follow this page, as it will continue to contain the most recent results of human rights negotiations within the UN system.*

Office of the UN High Commissioner on Human Rights. (2006). *Office of the UN High Commissioner on Human Rights*. Retrieved July 18, 2006, from <http://www.ohchr.org/english/>  
*The UNHCHR, established in 1993, is the focal point for international human rights action. This Web site contains information on the Commissioner's work, the international human rights system, as well as key developments in human rights issues and negotiations.*

Office of the High Commissioner for Human Rights. (n.d.) *United Nations Guide to Indigenous Peoples*. Retrieved July 19, 2006, from <http://www.ohchr.org/english/issues/indigenous/guide.htm>  
*Delegates beginning their research on this sub-topic are encouraged to explore the 12 leaflets contained in this site, which outline the very basics of the UN's role in promoting and protecting the rights of indigenous peoples. It is a good place to start, but delegates should be prepared to go much further in depth after reviewing the information in these short leaflets.*

Organization of American States. (2006). *Human Rights*. Retrieved July 18, 2006, from <http://www.oas.org/OASpage/humanrights.htm>  
*Delegates are encouraged to peruse this section of the OAS Web site that is devoted to the organization's role in the promotion and protection of human rights at the regional level, as it provides a good introduction to the extent of regional initiatives aimed at the promotion and protection of human rights in the Americas. The site provides detailed information on the Inter-American system, including both the Court and the Commission, as well as other relevant bodies, such as the Inter-American Commission of Women, the Inter-American Children's Institute, the Inter-American Indian Institute, and the Inter-American Institute of Human Rights.*

Organization of American States. (2006). Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples. Retrieved July 19, 2006, from <http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/consejo>  
*In order to access this page, follow the link to the Committee on Juridical and Political Affairs, then the link to "Indigenous Peoples." This page contains all of the official OAS documentation on all of the organization's efforts pertaining to indigenous peoples. Make sure to explore the links to the special sessions and summaries of the meetings of the working group, which will provide delegates with an in depth look at the most recent developments on the completion of an American Declaration on the Right of Indigenous Peoples.*

United Nations. (2006). *Human Rights*. Retrieved July 18, 2006, from <http://www.un.org/rights/>  
*This is the UN portal for human rights. This page provides links to the main bodies and treaties relating to human rights and the UN System, including the UN High Commissioner for Human Rights and the Human Rights Council.*

# Supplemental Conference Information

## Message from the Directors-General Regarding Position Papers for the 2007 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
- 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

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

1. A file of the position paper (.doc, .pdf or .rtf) for each assigned committee should be sent to the appropriate committee email address for the appropriate venue in which you are participating. Each address is also listed in individual background guides, which will be posted by November 15, 2006. These e-mail addresses will be active after November 15. 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 **February 22, 2007**. *E-mailed files should be in Microsoft Word (.doc), Rich Text (.rtf), or Adobe (.pdf) formats.*

### PLEASE NOTE IN THE SUBJECT LINE OF THE E-MAIL/DOCUMENT THE NAME OF THE COUNTRY & COMMITTEE.

*A matrix of received papers will be posted online for delegations to check by March 1, 2007. If you need to make other arrangements for submission, please contact **Jacob Schanzenbach**, Director-General, Sheraton venue or **Tracy Kingsley**, Director-General, Marriott venue at [dirgen@nmun.org](mailto:dirgen@nmun.org).*

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



Finally, please consider that over 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.

## **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 download 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 policy against plagiarism.

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**Delegation from** (*Insert Member State/NGO Name*)

**Represented by** (*Insert Delegation Name Here*)

### ***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.

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## **Resolution Writing and Report Writing at the NMUN Conference**

Please refer to the Delegate Preparation Manual available at [www.nmun.org](http://www.nmun.org) for a detailed instruction on resolution and report writing.

The substantive work of committees at the NMUN conference generally takes the form of either resolutions or reports. At the 2007 NMUN Conference, the ICTY will adopt a variation on these forms. The ICTY will create judgments. 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 2007 NMUN Conference:

#### ***Resolution Writing Committees***

- GA Plenary, GA 4<sup>th</sup>, CD, SC
- CCPCJ, ECOSOC Plenary, CND
- ADB, ARF, CoE, OAS
- WFP, WHO

#### ***Report (or variation thereof) Writing Committees***

- CEIRPP
- ICTY, IHP, UNWTO
- ECLAC, ESCWA, OPEC-IEA

## ***Resolutions***

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. 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. 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.

Please reference the Delegate Preparation Manual available at <http://www.nmun.org> for an example of the style used at NMUN, as well as other helpful information necessary to draft appropriately a resolution.

## ***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. Prior to the NMUN Conference in March 2007, 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 recommendation and/or decision 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.

Please also reference the Delegate Preparation Manual available at <http://www.nmun.org> for an example of the style used at NMUN, as well as other helpful information necessary to draft appropriately a report.

## **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 Criminal Tribunal for the Former Yugoslavia [ICTY] a variation of this process will be used. Delegates participating in the ICTY should carefully follow the delegate preparation manual for the ICTY, the various sections of the Background Guide of the ICTY, and refer to the ICTY portion of the NMUN website for a separate copy for perpetration.*

### ***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 in the middle 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 Directors-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 as 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.

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 Directors-General) will select a committee chair and rapporteur (committee administrative assistant) following the conclusion of interviews on the first evening of the Conference. For those interested in the opportunity to serve the committee as a chairperson or rapporteur, an application will be available online at [www.nmun.org](http://www.nmun.org) after January 1, 2007. 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 2007 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 Criminal Tribunal for the Former Yugoslavia (ICTY). 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, a working paper/working draft report which has not been approved by the committee Director will not be copied by the dais. It is the responsibility of the delegates to copy their own working paper/working draft report if they choose to share copies of the document which has not been submitted for approval. 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.

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 Plenary Sessions***

By the conclusion of the first night session, 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 the conclusion of the first evening meeting. 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 the evening prior to the Plenary session, following the conclusion of the regular session. 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 the same evening.

The night before the Plenary session,, 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 the Plenary sessions to deliberate upon each committee's recommendations to the Plenary.

### ***ECOSOC Executive Bureau***

The 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 prior evening's meeting, the Bureau will set an agenda order for the review of these reports for deliberation and potential adoption during Plenary sessions. Additionally, the ECOSOC Plenary session will deliberate upon a fourth topic to be prepared and introduced by the Director and Assistant Director.

This topic 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***

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 non-governmental organizations and other bodies. Following the conclusion of regular sessions on the last evening of session, the General Committee will set the agenda order for the review of these reports and resolutions and for their potential adoption during the Plenary sessions.

### ***Plenary Sessions***

On 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. All delegates are advised to participate in these 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 these sessions will be made available to all delegates.

## **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.

### ***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. This process 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. 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.

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 Directors-General gave 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 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.

### ***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 Directors-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 academic 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 Roles of State Delegates, Technical Experts, and Independent Technical Experts at the 2007 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 2007 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 ICTY, this role will specifically be addressed in the ICTY 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.

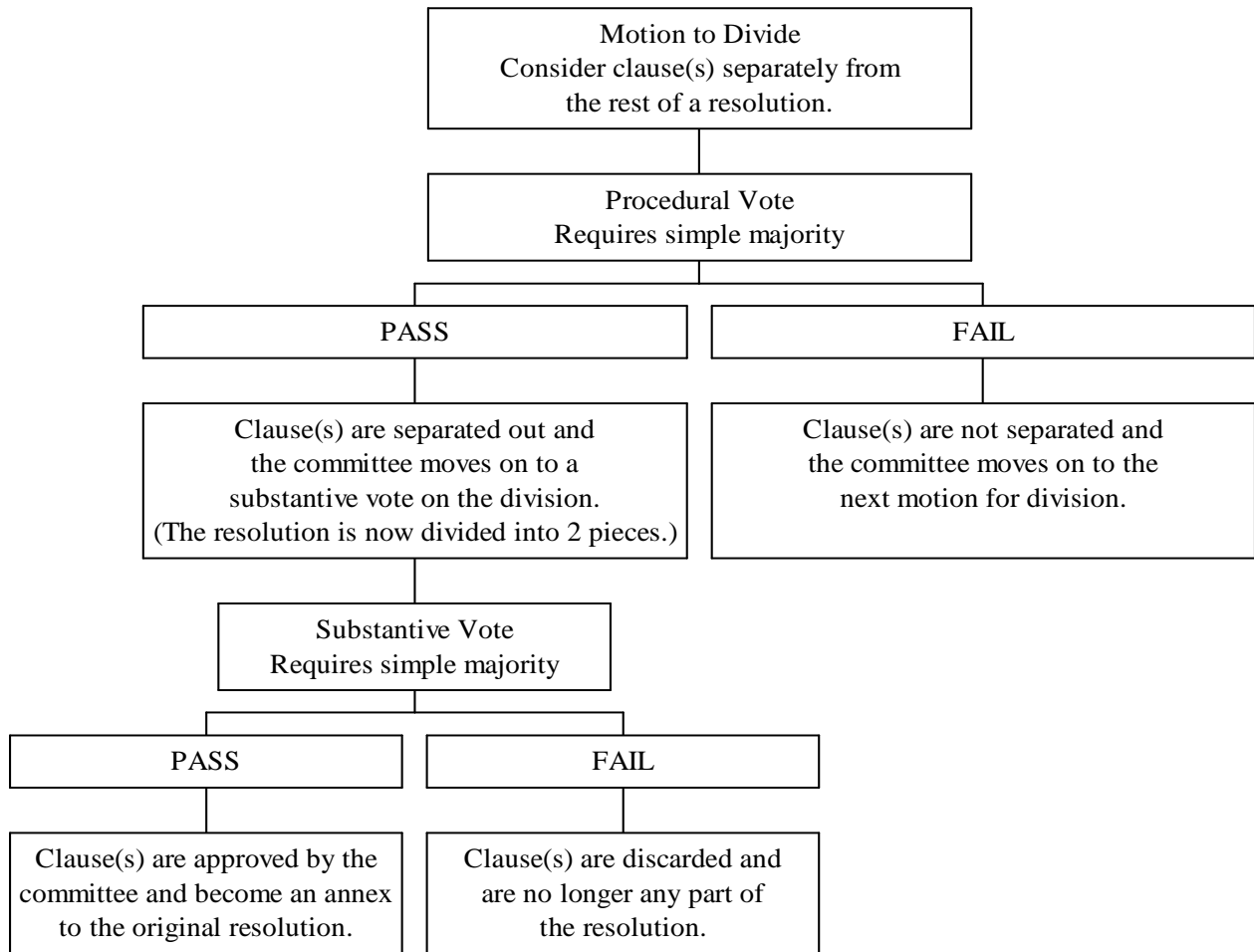
**NMUN RULES OF PROCEDURE - SHORT FORM  
LISTED IN ORDER OF PRECEDENCE**

Please Note: This form is only for assistance in your preparation at the NMNU Conference. It however is not an exhaustive list of rules, nor is it the official list for your committee. The official rules are located at the end of the individual Committee Background Guide.

<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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# Committee Rules of Procedure

# **Rules of Procedure Organization of American States (OAS)**

## ***Introduction***

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

## I. SESSIONS

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

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

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

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

## II. AGENDA

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

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

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

The agenda provided by the Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting. Items on the agenda may be amended or deleted by the Council 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” means those delegates, including observers, in attendance at the meeting during which this motion comes to a vote.*

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

During a session, the Council 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 Council so decides by a two-thirds majority of the members present and voting. No additional item may, unless the General Council decides otherwise by a two-thirds majority of the members present and voting, be considered until a committee has reported on the question concerned.

### ***Rule 6 - Explanatory memorandum***

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

## III. SECRETARIAT

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

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

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

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

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

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

***Rule 10 - Selection of the President***

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

***Rule 11 - Replacement of the President***

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

IV. LANGUAGE

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

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

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

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

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

V. CONDUCT OF BUSINESS

***Rule 14 - Quorum***

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

*For purposes of this rule, "members of the Council" means the total number of members (not including observers) in attendance at the Tuesday night meeting.*

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

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

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

**Rule 16**

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

**Rule 17 - Points of order**

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

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

**Rule 18**

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

**Rule 19 - Speeches**

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

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

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

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

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

**Rule 21 - Right of reply**

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time

limit for the reply. No ruling on this question shall be subject to appeal.

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

***Rule 22 - Suspension of the meeting***

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

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

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

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

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

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

***Rule 25 - Closure of debate***

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

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

Subject to rule 23, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

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

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

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Council who would like the Council 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 Council unless copies of it have been circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated. If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Council for all purposes, including subsequent amendments.



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

**Rule 28 - Withdrawal of motions**

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

**Rule 29 - Reconsideration of a topic**

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

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

## VI. VOTING

**Rule 30 - Voting rights**

Each member of the Council shall have one vote.

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

**Rule 31 - Request for a vote**

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

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

**Rule 32 - Majority required**

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

**Rule 33 – Omitted**

**Rule 34 - Method of voting**

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

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

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

**Rule 35 - Explanations of vote**

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

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

**Rule 36 - Conduct during voting**

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

**Rule 37 - Division of proposals and amendments**

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

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

**Rule 38 - Amendments**

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

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

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

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

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

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

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

***Rule 41 - The President shall not vote***

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

## VII. CREDENTIALS

***Rule 42 - Submission of credentials***

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

***Rule 43 - Credentials Committee***

A Credentials Committee, consisting of nine members, shall be appointed by the Secretary-General at the beginning of each session. It shall examine the credentials of representatives and report without delay. The Main Committees shall be bound by the actions of the Plenary in all matters relating to credentials and shall take no action regarding the credentials of any Member State.

***Rule 44 - Provisional admission to a session***

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Council has given its decision.

## VIII. Ommitted

***Rule 45 through Rule 48 - Ommitted***

## IX. MINUTE OF SILENT PRAYER OR MEDITATION

***Rule 49 - Invitation to silent prayer or meditation***

Immediately after the opening of the first plenary meeting of the Council, 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.

## X. SESSIONAL BODIES AND SUBSIDIARY ORGANS

***Rule 50 - Establishment***

The Council may establish and define the composition and the terms of reference of:

- a) Functional commissions and regional commissions;
- b) Sessional committees of the whole and other sessional bodies;
- c) Standing and ad hoc committees.

***Rule 51 - Discussion of reports of sessional committees of the whole***

Discussion of a report of a sessional committee of the whole in a plenary meeting of the Council shall take place if at least one third of the members present and voting at the plenary meeting consider such discussion to be necessary. A motion to this effect shall not be debated but shall be put to the vote immediately.

## XII. PARTICIPATION OF NON-MEMBERS OF THE COUNCIL

### ***Rule 52 - Participation of non-Member States***

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

### ***Rule 53 - Participation of national liberation movements***

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

### ***Rule 54 - Participation of and consultation with specialized agencies***

With the approval of the Council or its committees, the specialized agencies shall be entitled to participate, without the right to vote, in deliberations with respect to items of concern to them and to submit proposals regarding such items which may be put to the vote at the request of any members of the Council or of the committee concerned.

### ***Rule 55 - Participation of non-governmental organization and intergovernmental organizations***

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