



ECONOMIC AND SOCIAL COUNCIL PLENARY BACKGROUND GUIDE 2014

Written By: Ardis K. Smith, Director; Silvia Bedessi, Assistant Director



NATIONAL MODEL UNITED NATIONS



Dear Delegates,

Welcome to the 2014 National Model United Nations Conference in Rome, Italy (NMUN•Europe)! We would like to especially welcome you to the Economic and Social Council (ECOSOC). We hope that this conference will be an enriching and educational experience.

The ECOSOC Director is Ardis Smith, and the Assistant Director is Silvia Bedessi. Ardis has a B.A. and M.Phil. in History, and she works as a historical consultant in Salt Lake City, Utah. This is her fifth year on NMUN staff. Silvia is studying Political Science and International Studies at the University of Florence, Italy, and will graduate in a few months. She has worked with Consulates the past year, and volunteers with associations on culture and heritage preservation.

The topics before the Council are the following:

- I. Achieving Energy Security in Europe, the Middle East, and North Africa
- II. Standard Minimum Rules for the Treatment of Prisoners

The Economic and Social Council has a significant role in the United Nations system. As a main body of the UN, its mandate includes discussing and reporting upon social, economic, educational, and other weighty areas of international concern and making recommendations to the General Assembly and specialized entities.

This Background Guide is a helpful resource to utilize as you begin your research on the topics for ECOSOC. It will introduce you to important issues related to these topics through the individual sections, Annotated Bibliography, and Bibliography, and we encourage you to use these resources as a starting point. However, please note that this Background Guide should only be one part of your research; we encourage you to think and research deeply about the different issues related to these topics and on your Member State's policies and about innovative solutions that can help address these topics throughout the world. Each delegation will submit a position paper in preparation for the conference in November, and guidelines about the position papers and their submission can be located within this document. Please also take note of the [NMUN Policies and Codes of Conduct](#) on the website and in the [Delegate Preparation Guide](#) regarding plagiarism, codes of conduct/dress code/sexual harassment, awards philosophy/evaluation method, etc. Adherence to these guidelines is mandatory.

Please let us know if we can assist with any questions as you prepare for participation in ECOSOC this fall. Our Deputy-Secretary-General, Amanda Lichtenstein, is also an available resource on substantive staff; she can be reached at dsg.rome@nmun.org.

Thank you in advance for your preparation for the upcoming conference, and we look forward to seeing you at NMUN•Europe 2014!

Sincerely,

Ardis Smith, *Director*
Silvia Bedessi, *Assistant Director*

NMUN•Europe Position Papers Guidelines

Due 15 October 2014

Each committee topic should be addressed in a succinct policy statement representing the relevant views of your assigned country, non-governmental organization (NGO), or expert role. You should identify and address international and regional conventions, treaties, declarations, resolutions, and programs of action that are relevant to the policy of your country or NGO. You should also include recommendations for action to be taken by your committee. A delegate's role as a Member State, Observer State, or NGO should affect the way a position paper is written. The [Delegate Preparation Guide](#) will provide you with additional information.

A position paper should be submitted for each assigned committee.

- The two page position paper should cover all the topics in the background guide, not a separate paper for each topic.
- Do not submit papers for committees not assigned to your country/NGO (see [matrix](#)).
- No more than two delegates can represent a single country/NGO in a committee. If you assign two delegates to represent a country/NGO on a committee, they submit one position paper jointly, not separate position papers from each individual.
- NMUN position papers are not cited as is required for an academic paper. They are written as if they are a policy statement coming from the foreign ministry. While they may reference UN data or past UN Resolutions, like in our samples, formal citations are not used.

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

Follow the layout in our [Sample Position Paper](#) using the standards below:

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

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

How to Submit Your Position Papers

Position papers need to be submitted by email in PDF format to dsg.rome@nmun.org. As proof of submission, include yourself as an email recipient. Please use the committee name and your assignment in both the email subject line and in the filename (example: GA1_Cuba). Each position paper should be sent as a separate attachment.

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

History of the Economic and Social Council

The Economic and Social Council (ECOSOC) is one of the six main organs of the United Nations (UN). Within the UN system, ECOSOC is the principle organ dedicated to addressing economic, social, and cultural issues. Two chapters of the *UN Charter* relate to the work of ECOSOC: Chapter IX (articles 55-60), which details the work of the UN in promoting economic and social cooperation; and Chapter X (articles 61-72), which defines the composition, functions, powers, and voting procedure of ECOSOC.¹

Mandate

Composition

Initially, ECOSOC was composed of 18 Member States; however membership was increased twice by the General Assembly: first, in 1965 to 27 members, and again in 1971 to 54 Member States, a number that has since remained constant.² The 54 members of the Council are elected by the General Assembly, with 18 new members being elected each year, for overlapping three-year terms, and are allocated based on geographical representation.³ The current membership is divided up thusly: 14 are allocated to African states, 11 to Asian states, six to Eastern European states, 10 to Latin American and Caribbean states, and 13 to Western European and other states.⁴

Functioning

According to article 62, Chapter X of the *Charter*, ECOSOC “may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly to the Members of the United Nations, and to the specialized agencies concerned.”⁵ Other responsibilities that fall to ECOSOC include “[making] recommendations for the purpose of promoting respect for, and observance of, human rights... prepar[ing] draft conventions for submission to the General Assembly... and entering into agreements with specialized agencies and mak[ing] arrangements for consultation with non-governmental organisations.”⁶

Up until 1992, ECOSOC would meet biannually to discuss the work of the Council. Since 1992, however, the Council has held one, substantive, four-week session in July, taking place alternately in Geneva and New York.⁷ This substantive session is divided into five segments: the High-level Segment; Coordination Segment; Operational Activities Segment; Humanitarian Affairs Segment; and the General Segment.⁸ At the beginning of each session, a Bureau, which is charged with proposing the agenda, drawing up a programme of work and organizing the session, is elected by the Council.⁹ The Bureau consists of a president and four vice presidents.¹⁰ The current president of ECOSOC is Néstor Osorio of Colombia. For the purposes of the NMUN-Korea, ECOSOC Plenary serves as an amalgamation of the High-Level Segment and the General Segment.

One topic that is continually discussed within the international community is how ECOSOC can be strengthened to better address current development issues. In the 2005 *World Summit Outcome*, Member States mandated ECOSOC to implement two additional formats: 1) the Annual Ministerial Review (AMR), and 2) the Development Cooperation Forum (DCF).¹¹ The AMR and DCF function differently than other ECOSOC formats. The AMR is the only UN intergovernmental platform with multi-stakeholder involvement, with broad-based participation from civil society, the private sector and academia.¹² The functions and purposes of both were expanded upon in General Assembly resolution 61/16, *Strengthening of the Economic and Social Council*.¹³ The General Assembly made the

¹ New Zealand Ministry of Foreign Affairs and Trade, *United Nations Handbook 2012-2013*, 2012, p. 129.

² New Zealand Ministry of Foreign Affairs and Trade, *United Nations Handbook 2012-2013*, 2012, p. 129.

³ UN Economic and Social Council, *ECOSOC Members*.

⁴ UN Economic and Social Council, *ECOSOC Members*.

⁵ UN General Assembly, *Charter of the United Nations*, 1945, Article 62.

⁶ New Zealand Ministry of Foreign Affairs and Trade, *United Nations Handbook 2012-2013*, 2012, p. 129.

⁷ UN Economic and Social Council, *Substantive Sessions*.

⁸ UN Economic and Social Council, *Substantive Sessions*.

⁹ UN Economic and Social Council, *ECOSOC Bureau*.

¹⁰ UN Economic and Social Council, *ECOSOC Bureau*.

¹¹ UN Economic and Social Council, *New Functions of ECOSOC*.

¹² UN Economic and Social Council, *AMR FAQs*.

¹³ UN Economic and Social Council, *Annual Ministerial Review Mandate*.

AMR process part of the High-Level Segment and it was tasked with reviewing the progress made in the implementation of major UN conferences and summits, and assessing ECOSOC's impact on the achievement of the goals of the various conferences and summits.¹⁴

The DCF is nominally charged with working to enhance the implementation of the internationally agreed upon development goals (IADGs), such as those outlined in the Monterrey Consensus, as well as the Millennium Development Goals.¹⁵ The DCF undertakes its work in three main ways: 1) reviewing trends in international development cooperation, including strategies, policies and financing; 2) promoting greater coherence among the development activities of different development partners; and 3) strengthening the normative and operational link in the work of the United Nations.¹⁶

While ECOSOC is the main organ within the United Nations dedicated to economic and social issues, the General Assembly also addresses these issues as part of its agenda. Many issues that are discussed within ECOSOC, especially the follow-up processes to major world summits, are also debated in the General Assembly. For example, 2013's ECOSOC High-Level Segment focused on "Science, technology and innovation".¹⁷ This topic is also a recurring topic on the General Assembly Second Committee's agenda, under the heading of "science and technology for development."¹⁸

Commissions, Specialized Agencies, and Other Organizations

Within the structure of ECOSOC, there are a number of different commissions that work to promote economic and social development and who report to or work with ECOSOC. There are two types of commissions that fall under the auspices of ECOSOC: functional commissions and regional commissions.¹⁹ Functional commissions address specific topics or issues, such as the Commission on the Status of Women (CSW) or the Commission on Narcotic Drugs, while the regional commissions, such as the Economic Commission for Africa or the Economic Commission for Latin America and the Caribbean, address a myriad of issues relating to a particular region.²⁰ Several functional commissions are tasked with following up major international summits, for example the CSW and the Commission on Social Development.

Articles 57 and 63 of the *Charter* outline the role that Specialized Agencies have within the UN system and with ECOSOC.²¹ Specialized Agencies, such as the International Labour Organization and the World Health Organization, are intergovernmental organizations independent of the UN and with distinct membership that have entered into a special arrangement with ECOSOC. Specialized Agencies assist in the promotion of economic and social development throughout the globe and their work usually focuses on a broad issue or issues.²² Thus, Specialized Agencies, while independent organizations, are part of the wider "UN System" and there is strong institutional linkage between them and the UN.

Along with the commissions and Specialized Agencies, ECOSOC also serves as the entry point for nongovernmental organizations (NGOs). By gaining consultative status with ECOSOC, NGOs gain access not only to ECOSOC, but also to its many subsidiary bodies, to the various human rights mechanisms of the United Nations, ad-hoc processes on small arms, as well as special events organized by the President of the General Assembly.²³ There are currently 3,735 NGOs who have attained consultative status with ECOSOC.²⁴

¹⁴ UN Economic and Social Council, *Annual Ministerial Review Mandate*.

¹⁵ UN Economic and Social Council, *Mandate of the Development Cooperation Forum*.

¹⁶ UN Economic and Social Council, *Mandate of the Development Cooperation Forum*.

¹⁷ UN Economic and Social Council, *2013 High-Level Segment Draft Programme*.

¹⁸ United Nations General Assembly, *Second Committee List of Agenda Items and their Periodicity*.

¹⁹ UN Economic and Social Council, *Subsidiary Bodies of ECOSOC*.

²⁰ UN Economic and Social Council, *Subsidiary Bodies of ECOSOC*.

²¹ UN General Assembly, *Charter of the United Nations*, 1945, Article 62.

²² United Nations System Chief Executives Board for Coordination, *Agreements Between Specialized Agencies and the United Nations*.

²³ UN Department of Economic and Social Affairs NGO Branch, *Basic Facts About ECOSOC Status*.

²⁴ UN Department of Economic and Social Affairs NGO Branch, *Basic Facts About ECOSOC Status*.

Conclusion

Within the UN system, ECOSOC plays a vital role. ECOSOC is responsible for roughly 70% of human and financial resources—highlighting the vast importance of the body.²⁵ In the coming years, ECOSOC will play a major role in shaping the post-2015 development agenda. This work will build on the work of the Council in reviewing the MDGs through the AMR, as well as its contributions to the UN development agenda in general. The DCF is initiating a dialogue “on the possible features of a renewed global partnership for development in the post-2015 setting, and characteristics of a monitoring and accountability framework.”²⁶ ECOSOC’s strengthening process and the Council’s role coming out of the Rio+20 Conference in the integration of the three dimensions of sustainable development should further bolster the Council’s role in the post-2015 era.²⁷

Annotated Bibliography

New Zealand Ministry of Foreign Affairs and Trade (2012). *United Nations Handbook 2012-2013*. Wellington: Ministry of Foreign Affairs and Trade/Manatu Aorere.

This handbook, published annually by the New Zealand Ministry of Foreign Affairs and Trade, provides an excellent overview of the UN System, outlining the essential functions of the myriad of bodies that exist within the system. A beginning point for any research that is conducted about the UN, the Handbook is an essential resource for students. It includes a Chapter on the background of ECOSOC, its functional and regional commissions and other bodies associated with ECOSOC.

United Nations. (1945, 26 June). *Charter of the United Nations*. Retrieved on June 16, 2013, from: <http://www.un.org/en/documents/charter/index.shtml>.

The Charter of the United Nations is the fundamental building block for the United Nations, laying out the duties and responsibilities of each organ of the UN, including ECOSOC. Chapter X of the Charter outlines the responsibilities of ECOSOC and as the UN has grown in membership and responsibilities, so has ECOSOC. Delegates should be familiar with the provisions of Chapter X in order to make full use of ECOSOC’s mandate in shaping innovative policies on the two topics under discussion.

United Nations Economic and Social Council. (N.D.) *About ECOSOC*. Retrieved on June 16, 2013, from: <http://www.un.org/en/ecosoc/about/>.

This section of the ECOSOC Web site provides links to all the relevant information about the body, including the current membership, hot topics up for debate by ECOSOC and subsidiary bodies. Understanding the basic functions of ECOSOC and how and what topics it can address are essential to delegates understanding their role in committee. Delegates should keep informed over the summer, as the Substantive Session is taking place in Geneva at this very moment.

I. Achieving Energy Security in Europe, the Middle East, and North Africa

“We understand that sustainable energy is central to the post-2015 sustainable development agenda.”²⁸

Introduction

The United Nations (UN) has frequently emphasized its commitment to energy security for the global population. Energy security is defined by the International Energy Agency (IEA) as “the uninterrupted availability of energy sources at an affordable price.”²⁹ Similarly, the European Commission defines security of energy supply as the “continuous and adequate supplies of energy from all sources to all users,” without which it is impossible to effectively address challenges such as poverty, economic growth, and sustainable development, since energy is the

²⁵ UN Economic and Social Council, *About ECOSOC*.

²⁶ UN Economic and Social Council, *Millennium Development Goals and post-2015 Development Agenda*.

²⁷ UN Economic and Social Council, *Millennium Development Goals and post-2015 Development Agenda*.

²⁸ Ban, *Welcoming Remarks at Sustainable Energy for All Forum*, 2014.

²⁹ International Energy Agency, *Energy Security* [Web Site], 2014.

basis of any human activity, domestic, or industrial.³⁰ Therefore, energy security has not only geopolitical dimensions for Member States, but also has economic and social aspects.³¹ The term energy security includes short- and long-term security concerns: the ability to weather unexpected changes in the energy market and supply disruptions, and the need to reduce dependence from imports.³² Many individuals do not enjoy energy security, and some posit that this will not change any time soon. In fact, even in IEA's optimistic New Policies Scenario, which takes into consideration energy policy commitments made by countries, about one billion people worldwide would still lack access to electricity in 2030, and energy security would be further endangered by the demographic growth, with an increase of the global demand for energy of 33% in the next 20 years.³³ These statistics clearly show that energy is a key priority internationally for Member States and the global community.³⁴

International Framework

Economic cooperation among Member States is one of the main pillars of the UN, as shown in Chapter IX of the UN Charter on the promotion of "higher standards of living" and economic and social development.³⁵ In 1987, the international community recognized the necessity to find alternatives to the consumption of fossil fuels, defined as the "continuing dilemma" in the Report of the World Commission on Environment and Development, also known as *Our Common Future* (A/42/427).³⁶ Moreover, international energy cooperation and sustainable development are among the principles promoted by the 1991 *European Energy Charter*, on which basis the *Energy Charter Treaty* (ECT) was created in 1994, making the agreement legally binding and recognizing the importance of supply security and energy efficiency.³⁷

Agenda 21, adopted in 1992 by the UN Conference on Environment and Development in Rio de Janeiro, invites all governments to rethink their energy consumption and production systems, promoting cooperation at the regional and sub-regional levels.³⁸ The 1997 *Kyoto Protocol* to the UN Framework Convention on Climate Change (UNFCCC) reaffirms the importance of balancing between the two principles of guaranteeing access to energy supply and of protecting the environment, through "research on, and promotion, development and increased use of, new and renewable forms of energy."³⁹ During the 2002 World Summit on Sustainable Development, participating countries agreed on the importance of the promotion of international energy trade, with both interconnected electricity grids and pipelines.⁴⁰ In fact, the outcomes of the Summit invited countries to facilitate access to energy services, as well as to increase "capacity-building, financial and technological assistance and innovative financing mechanisms," in order to accelerate the achievement of the Millennium Development Goals (MDGs).⁴¹ This also reflects a strong interconnection between energy access and the eradication of poverty.⁴²

With this view, the *Bali Road Map*, the 2007 outcome of the Climate Change Conference, welcomed the progress achieved through to the creation of Public-Private Partnerships (PPP), such as the Global Energy Efficiency and Renewable Energy Fund (GEEREF) and the European Union (EU) Energy Initiative (EUEI).⁴³ Moreover, the *Bali Action Plan* contains guidelines for a "long-term cooperative action" in five main areas, including mitigation of

³⁰ European Commission, *A Policy Framework for Climate and Energy in the Period from 2020 to 2030* (COM/2014/015), 2014; United Nations Economic and Social Council, *Dialogues at the ECOSOC*, 2012; United Nations, *Remarks to Climate Change Conference (UNFCCC COP16 High-Level Segment)*, Remark by the UN Secretary-General, 2010.

³¹ Baumann, *Energy Security as Multidimensional Concept*, 2008.

³² International Energy Agency, *Energy Security* [Web Site], 2014.

³³ International Energy Agency, *Scenarios and Projections* [Web Site], 2014; International Energy Agency, *World Energy Outlook 2013 Factsheet*, 2013; International Energy Agency, *Energy Access Projections to 2030* [Web Site], 2013.

³⁴ Stakeholder Forum for a Sustainable Future, *UNDESA Survey on the Sustainable Development Goals*, 2013.

³⁵ United Nations, *UN Charter*, 1945, art.55.

³⁶ United Nations General Assembly, *Report of the World Commission on Environment and Development: Our Common Future (Annex to A/42/427)*, 1987.

³⁷ Energy Charter, *About the Charter – 1991 Charter* [Web Site]; Energy Charter Secretariat, *The Energy Charter Treaty and Related Documents*, 2004.

³⁸ United Nations Conference on Environment and Development, *Agenda 21 (A/CONF.151/26)*, 1992.

³⁹ United Nations Framework Convention on Climate Change, *Kyoto Protocol (FCCC/CP/1997/L.7/Add.1)*, 1997.

⁴⁰ World Summit on Sustainable Development, *Plan of Implementation*, 2002, art.20.

⁴¹ World Summit on Sustainable Development, *Plan of Implementation*, 2002, art.9.

⁴² World Summit on Sustainable Development, *Plan of Implementation*, 2002, art.9.

⁴³ United Nations Framework Convention on Climate Change, *FCCC/CP/2007/6/Add.1*, 2008, Part 2, Decision 3/CP.13.

climate change, the development of technologies, and financial support.⁴⁴ More recently, the Secretary-General report *UN Decade of Sustainable Energy for All (A/68/309)* identified 2014 to 2024 as fundamental for the energy security challenge, with the aim of improving food security, public health, and overall development, with a special focus on the post-2015 agenda and the Sustainable Development Goals (SDGs).⁴⁵

The Role of the UN System

The Economic and Social Council (ECOSOC) addresses energy related matters in countries in Europe and the Middle East-North Africa (MENA) through three regional commissions: the UN Economic Commission for Europe (UNECE), the UN Economic Commission for Africa (UNECA), and the UN Economic and Social Commission for Western Asia (ESCWA).⁴⁶ In 1998, ECOSOC also brought together two previous bodies, the Committee on New and Renewable Sources of Energy and on Energy for Development and the Committee on Natural Resources, creating the Committee on Energy and Natural Resources for Development.⁴⁷ When the latter of the original bodies was dismissed, its tasks were entrusted to the Commission on Sustainable Development.⁴⁸

The UN Department of Economic and Social Affairs (DESA) is in charge of coordinating activities for Member States in order to achieve a broad spectrum of economic, social, and environmental objectives.⁴⁹ The main initiative aimed at facilitating cooperation on energy-related matters is Sustainable Energy for All (SE4all), launched in 2011 by UN Secretary-General Ban Ki-moon in order to promote an “action-focused global network” on the topic.⁵⁰ With this view, the three main goals to be achieved by 2030 are ensuring access to “modern energy services” to all, achieving a 100% increase in energy efficiency, and doubling the use of renewable energy.⁵¹ These objectives will be pursued in 11 action areas and, within these, through High-Impact Opportunities, which are current or potential actions to “drive transformational change.”⁵² The 2012 UN Conference on Sustainable Development, held in Rio de Janeiro (therefore also known as Rio+20), selected energy as one of seven priority areas, as highlighted in *The Future We Want*, the outcome document of the Conference.⁵³ With Resolution 67, the General Assembly (GA) has also invited UN bodies to cooperate with the Economic Cooperation Organization (ECO) Secretariat for the monitoring of the Plan of Action, 2011-2015, and the realization of regional programs on renewable energy and efficiency.⁵⁴ The UN has also produced the Framework Classification for Fossil Energy and Mineral Resources (UNFC), which is an “universally applicable scheme for classifying/evaluating energy and mineral reserves resources,” to enable easier communications, and consequently, easier trade.⁵⁵ In November 2013, the UNFC became operational.⁵⁶

Furthermore, a fundamental platform for the promotion of factual approaches is the UN-Energy Knowledge Network, a mechanism created to bring together UN bodies and cooperating organizations dealing with energy to boost collective engagement.⁵⁷ Its action is mainly focused on four important aspects: capacity-building, know-how sharing, financing, and fostering sustainable development policies and strategies at all levels.⁵⁸ The UN

⁴⁴ United Nations Framework Convention on Climate Change, *FCCC/CP/2007/6/Add.1*, 2008, Part 2, Decision 1/CP.13.

⁴⁵ United Nations General Assembly, *United Nations Decade of Sustainable Energy for All (A/68/309)*, 2013.

⁴⁶ United Nations Economic Commission on Europe, *Sustainable Energy* [Web Site]; United Nations Economic Commission for Africa, *National Resource Management* [Web Site]; Economic and Social Commission for Western Asia, *Sustainable Development Policies* [Web Site], 2014.

⁴⁷ United Nations Economic and Social Council, *Further Measures for the Restructuring and Revitalization of the United Nations in the Economic, Social and Related Fields (E/1998/98)*, 1998.

⁴⁸ United Nations Economic and Social Council, *ECOSOC Decision 2002/303*, 2002.

⁴⁹ United Nations Department of Economic and Social Affairs, *About Us* [Web Site], 2014.

⁵⁰ Sustainable Energy for All, *About Us* [Web Site], 2013.

⁵¹ United Nations, *Sustainable Energy for All – A Vision Statement by Ban Ki-Moon*, 2011.

⁵² UN-Energy Knowledge Network, *Energy: A Brief Discussion on Goals, Targets and Indicators*, 2014; United Nations General Assembly, *Sustainable Energy for All: a Global Action Agenda (A/67/175)*, 2012.

⁵³ United Nations General Assembly, *The Future We Want (A/RES/66/288)*, 2012, articles 125-129.

⁵⁴ United Nations General Assembly, *Cooperation Between the United Nations and the Economic Cooperation Organization (A/RES/67/14)*, 2012.

⁵⁵ United Nations Economic Commission for Europe, *United Nations Framework Classification for Fossil Energy and Mineral Reserves and Resources*, 2009.

⁵⁶ United Nations, *UNFC Incorporating Specifications for its Application*, ECE Energy Series No.42, 2013.

⁵⁷ UN-Energy Knowledge Network, *About UN-Energy* [Web Site].

⁵⁸ UN-Energy Knowledge Network, *Energy Access* [Web Site].

Environment Programme (UNEP) also plays a key role in the achievement of energy security, helping the transformation of Member States to low-carbon economies, which can delay climate change and facilitate poverty eradication, thus helping local communities.⁵⁹ UNEP's Sustainable Energy Finance Initiative (SEFI) supports investors in the management of development projects in the energy field, both in developed and developing countries, especially when new and green technologies are involved.⁶⁰ Moreover, the UN Development Programme (UNDP) is highly committed to removing existing obstacles to energy efficiency and reliable supply access, as it is also an implementing agency of the Global Environment Facility (GEF), which cooperates with the private sector through direct project support, such as the financing facility created to support North African States.⁶¹

Energy Access and Infrastructure in Europe, the Middle East and North Africa

Statistics regarding energy access in Europe and MENA countries show the significance of energy security in these areas and the importance of the current and planned infrastructure in the area. Middle East countries provide 32.2% of the global crude oil production, with Saudi Arabia as the main net exporter.⁶² The Russian Federation is the first natural gas net exporter, whereas Organisation for Economic Co-operation and Development (OECD) countries are major producers of hydropower (40.5%) and electricity (50.7%).⁶³ Even though the global renewable energy sector is not intensely dependent on foreign production, EU countries have an oil import dependency of 83% and a gas import dependency of about 60%.⁶⁴ With regard to natural gas, for example, the Trans-Adriatic Pipeline (TAP) is currently under pre-construction: starting from the Trans Anatolian Natural Gas Pipeline (TANAP), it will end in Italy and will represent a step further in the creation of the Southern Gas Corridor, as highlighted by the President of the European Commission J.M.Barroso.⁶⁵ In the meantime, since the pipeline is not expected to be operational until 2017, Russia will remain the most important natural gas exporter to the area.⁶⁶ Furthermore, within the Euro-Mediterranean Energy Market Integration Project (MED-EMIP), a consortium of Southern and Eastern Mediterranean Countries (SEMC) planned the creation of MEDRING, a closed ring of high voltage direct current (HVDC) cross-border lines between the SEMC.⁶⁷ However, according to the 2010 MEDRING update, "there has been very little progress and some failures in the last eight years regarding the closure of the Ring."⁶⁸ On the other hand, new projects regarding the exploitation of renewable energy sources are underway, such as DESERTEC, aiming at exploiting the overlooked sun-rich deserts, which could produce about 66% of the MENA energy consumption, in addition to export supplies for about 15% of European demand.⁶⁹

Short- and Long-Term Energy Security

In order to ensure energy security, infrastructure alone is not sufficient. Energy policies and cooperation are fundamental, especially as energy security is a crucial element for Member States, but the opposite is also true: Energy supplies are easily endangered by international conflicts or disputes, as has been seen between Russia and Ukraine.⁷⁰ Therefore, it is no surprise that European countries are building terminals to import liquefied natural gas from MENA countries and ease dependence on Russia.⁷¹ Indeed, according to OECD, the main threats to supplies come from "extreme weather events; mismatched electricity supply and demand; regulatory failures; and

⁵⁹ United Nations Environment Programme, *Energy and Transport* [Web Site].

⁶⁰ United Nations Environment Programme, *Climate Change Finance – Industry Engagement* [Web Site].

⁶¹ Global Environment Facility, *The GEF and the Private Sector* [Web Site]; Global Environment Facility, *GEF Projects Funding* [Web Site].

⁶² International Energy Agency, *Key World Energy Statistics*, 2012.

⁶³ International Energy Agency, *Key World Energy Statistics*, 2012.

⁶⁴ European Commission, *European Economy – Member States' Energy Dependence*, Occasional Papers 145, 2013.

⁶⁵ Trans-Adriatic Pipeline, *Concept*, 2014; Trans-Adriatic Pipeline, *News*, 2014; European Commission, *EU Commission Welcomes Decision on Gas Pipeline*, 2013.

⁶⁶ Istituto Affari Internazionali, *The European Commission's Policy Towards the Southern Gas Corridor*, IAI Working Papers 12, 2012.

⁶⁷ Euro-Mediterranean Energy Market Integration Project, *MEDRING Update*, 2010.

⁶⁸ Euro-Mediterranean Energy Market Integration Project, *MEDRING Update*, 2010.

⁶⁹ DESERTEC Foundation, *The DESERTEC Concept* [Web Site].

⁷⁰ Yergin, *Ensuring Energy Security*, Foreign Affairs, 2006.

⁷¹ Congressional Research Service, *Europe's Energy Security: Options and Challenges to Natural Gas Supply Diversification*, 2013.

concentration of oil and gas resources in certain regions of the world.”⁷² Therefore, in the short-term perspective, the International Energy Program ensures that countries must be able to react through emergency measures, should unexpected changes in procurement occur.⁷³ These would include the use of the strategic oil stocks and reserves, compulsory for OECD and IEA members, to “restrain demand, switch to other fuels, increase domestic production or share available oil, if necessary.”⁷⁴ However, to ensure long-term security, a broader spectrum of policies is necessary to reduce dependence from energy suppliers.

Energy security requires dialogue between producer and consumer, in order to safeguard the interests of both parties and achieve market stability: The International Energy Forum (IEF) and the IEF/Organization of the Petroleum Exporting Countries (OPEC)/IEA Symposium play a key role in this effort.⁷⁵ Regulatory and economic reforms are also deemed necessary; for example, in some North African countries, access to electrical grids is forbidden to those companies wishing to sell energy.⁷⁶ In the EU, emphasis has been put on the need to accelerate liberalization of the energy market, providing citizens more freedom of choice and access to investments.⁷⁷ The implementation of the Internal Energy Market for gas and electricity aims to address this through reducing fragmentation and establishing “key indicators for the competitiveness of the energy system,” in order to create a “truly pan-European integrated energy market” for efficiency enhancement, which is one of the Europe 2020 initiative priorities.⁷⁸ However, integration of the European market alone could be insufficient to ensure energy access, since the EU is expected to continue to strongly rely on imports from external suppliers in the future.⁷⁹ Energy efficiency could potentially provide the most cost-effective solution, not only in Europe, but also in the Euro-Mediterranean area, following the guidelines of the SE4all initiative.⁸⁰ Energy efficiency is defined as “practices of using less energy resources to provide the same or more services,” and the Working Group on Water, Energy, Health, Agriculture and Biodiversity (WEHAB) recognizes two aspects of energy efficiency: end-use and supply-side.⁸¹ Together, these aspects focus both on “improving the equipment that provides the services” and on making energy production more efficient.⁸² Energy efficiency is also one of the priorities of the New Partnership for Africa’s Development (NEPAD), which is a technical body of the African Union (AU), acting through the Africa Platform on Development Effectiveness.⁸³ In fact, cooperation and the strengthening of PPPs are fundamental tools to achieve energy security, allowing a wider diversification of energy sources and the reduction of import dependency. In November 2013, the 16th Africa Oil, Gas and Minerals Trade and Finance Conference (OILGASMINE) was held in Niger, with the aim of promoting and discussing the role of Africa in the energy sector, while the Middle East Energy Security Forum in Dubai discussed energy from an industrial approach.⁸⁴ Moreover, in Europe, the EU Energy Initiative Partnership Dialogue Facility (EUEI PDF) “is a flexible instrument of the EU Energy Initiative, supporting the creation of an enabling environment for investments in sustainable energy markets” and for cross-border trade.⁸⁵

⁷² Organization for Economic Cooperation and Development, *OECD Contribution to the United Nations Commission on Sustainable Development 15*, 2007.

⁷³ International Energy Agency, *IEA Response System for Oil Supply Emergencies*, 2012.

⁷⁴ International Energy Agency, *IEA Response System for Oil Supply Emergencies*, 2012.

⁷⁵ Organization of the Petroleum Exporting Countries, *OPEC Bulletin 2/12*, 2012.

⁷⁶ United Nations Economic Commission for Africa, *Study on Innovative Financing Mechanisms for Renewable Energy Projects in North Africa*.

⁷⁷ United Nations Economic Commission for Europe, *The Impact of Liberalization of Natural Gas Markets in the UNECE Region*, 2012.

⁷⁸ European Commission, *A Policy Framework for Climate and Energy in the Period from 2020 to 2030 (COM/2014/015)*, 2014; European Commission, *Executive Summary of the Impact Assessment (SWD/2014/016)*, 2014; European Union, *Energy 2020*, 2011.

⁷⁹ European Commission, *Energy Economic Developments in Europe*, Part 2, 2014.

⁸⁰ International Energy Agency, *25 Energy Efficiency Policy Recommendations*, 2011.

⁸¹ Global Environment Facility, *Energy Efficiency* [Web Site]; World Summit on Sustainable Development, *Synthesis of the Framework Paper of the Working Group on WEHAB (A/CONF.199/L.4)*, 2002.

⁸² World Summit on Sustainable Development, *Synthesis of the Framework Paper of the Working Group on WEHAB (A/CONF.199/L.4)*, 2002.

⁸³ New Partnership for Africa’s Development, *NEPAD Programmes* [Web Site]; Africa Platform for Development Effectiveness, *Africa Platform for Development Effectiveness* [Web Site].

⁸⁴ Oil, Gas and Minerals Trade and Finance Conference, *16th OILGASMINE Trade and Finance Conference Overview*; Fleming Gulf, *9th Middle East Energy Security Forum*, 2013.

⁸⁵ European Union Energy Initiative, *EU Energy Initiative Partnership Dialogue Facility* [Web Site].

Integrated response policies are fundamental in relation to this discussion, as highlighted in the midst of the 2008 economic crisis by ECOSOC, which stressed the link between food and energy security, and the connection between fuel prices volatility and the rise in food prices.⁸⁶ The MDGs Reports or Reviews, compiled by each country together with the UN Country Team (UNCT), can be a useful tool not only to assess progresses made and monitor the situation, but also to raise awareness on energy related matters among citizens.⁸⁷ In 2011, the major part of the 18% of the global population without access to electricity lived in African and Asian rural areas, which are the most affected by energy poverty and modern energy supply disruptions, resulting in energy shortages that can also affect the basic healthcare services.⁸⁸ However, actions must be undertaken also in urban areas, where the population is expected to rapidly increase in the future: the World Bank considers energy efficiency as the “fuel for sustainable urban development,” because it concerns a wide range of services, such as transport, buildings, lighting and waste.⁸⁹

Diversification, Renewable Sources and New Trends

The main objective of developed and developing countries in relation to energy security is diversification, which means the availability and use of different types and sources of energy.⁹⁰ Member States are interested in decreasing energy dependence from a single exporter, but also from a single energy resource. That is why not only European countries, but also the African and Asian countries are investing more in renewable energy, as reaffirmed during the Fourth EU-Africa summit held in Brussels in April 2014.⁹¹ In 2011, the EU Commission adopted the *Energy Roadmap 2050* Communication, which contains guidelines for the cut of greenhouse emissions by about 90% below the 1990 levels in the next 35 years, ensuring energy security through the use of renewable sources of energy.⁹² One useful step will be to raise awareness of the importance of strategies such as photovoltaic panels, subsidizing their installation and considering households and industries as private sector investors.⁹³

Conclusion

Energy is the cornerstone of every human activity, and energy security represents a priority for all developed and developing countries. Without achieving this goal, it would be impossible to improve living conditions worldwide, to achieve a greater economic and social development in Europe and MENA countries, and to grant the basic right to safety to all citizens. Member States are and should be committed to facing this challenge, acting at the national, regional, and international levels through different political, economic, and technical tools. As delegates prepare to discuss the topic, they should consider the following questions: Taking into consideration the relentless increase of energy demand, how can short-term and long-term security be achieved? How can international and regional cooperation ensure development? What role must be played by renewable sources in present and future times, in relation to the need of diversification and the reduction of energy dependence?

Annotated Bibliography

Economic and Social Council. (2012). *Dialogues at the ECOSOC*. Retrieved 30 May 2014 from: http://www.un.org/en/ecosoc/docs/pdfs/dialogues_at_ecosoc_2012.pdf

The Dialogues at the ECOSOC gather relevant statements and addresses made by UN bodies' Presidents and Officers, and by other stakeholders, on particular topics. The 2012 document is focused on the discussion of the 2012 High-level Segment of ECOSOC on "Promoting productive capacity, employment and decent work to eradicate poverty in the context of inclusive, sustainable

⁸⁶ International Institute for Sustainable Development, *ECOSOC Highlights Interlinkages Between Food and Energy Crises* [Web Site], 2008.

⁸⁷ United Nations Development Programme, *A Review of Energy in National MDGs Reports*, 2007.

⁸⁸ Organization for Economic Cooperation and Development & International Energy Agency, *Energy Poverty*, 2010; University of Oxford, *A Roadmap for Renewable Energy in the Middle East and North Africa*, 2014.

⁸⁹ United Nations Industrial Development Organization, *Energy, Development and Security*, 2008; World Bank, *Energy Efficiency: the Fuel for Low Carbon Urban Development*, 2013.

⁹⁰ United Nations Development Programme, *Sustainable Energy* [Web Site].

⁹¹ Fourth EU-Africa Summit, *Declaration*, 2014.

⁹² European Commission, *Energy Roadmap 2050 (COM/2011/885)*, 2011.

⁹³ European Commission, *Energy Roadmap 2050 (COM/2011/885)*, 2011.

and equitable economic growth at all levels for achieving the MDGs." It shows how energy is the cornerstone of any development-oriented strategy.

European Union. (2011). *Energy 2020*. Retrieved 29 May 2014 from: http://ec.europa.eu/energy/publications/doc/2011_energy2020_en.pdf

European Union (EU) Commission Communications and related reports are important sources of information on the energy strategies endorsed by the EU in recent years. They include guidelines to be followed by Member States in order to achieve economic and development goals in the near future. The "Energy 2020" publication highlights the main objectives to be achieved by 2020, namely improvements in efficiency, infrastructures, security for consumers, technology and international partnerships. It aims at recommending actions to be undertaken in four different policy areas in order to ensure energy access.

European Commission. (2014). *Energy Economic Developments in Europe, Part 2*. Retrieved 1 June 2014 from: http://ec.europa.eu/economy_finance/publications/european_economy/2014/pdf/ee1_2_en.pdf

The EU Commission produces documents focusing on the European energy and economic system, fundamental to understand EU current and future policies. In particular, the present document focuses on three main elements: competitiveness, carbon prices, and renewable energy. Considering the actions started by States, both at the national and international levels, it also draws attention to the differences between the EU market and external competitors.

International Energy Agency. (2012). *Key World Energy Statistics*. Retrieved 29 May 2014 from: <http://www.iea.org/publications/freepublications/publication/kwes.pdf>

The International Energy Agency is a fundamental source of data on energy resources and energy flows. IEA statistics and publications will be beneficial to delegates, providing detailed information on the current situation of the global energy sector and on different possible future scenarios. This particular document contains statistics on global energy supplies and consumption, which are divided by type of energy source and on a geographical basis.

UN-Energy Knowledge Network. (2014). *Energy: A brief discussion on Goals, Targets and Indicators*. Retrieved 2 June 2014 from:

[http://sustainabledevelopment.un.org/content/documents/1262Background%20Note%20on%20Energy%20Goals,%20Targets%20and%20Indicators%20\(Update%2028%20May%202014\).pdf](http://sustainabledevelopment.un.org/content/documents/1262Background%20Note%20on%20Energy%20Goals,%20Targets%20and%20Indicators%20(Update%2028%20May%202014).pdf)

The UN-Energy Knowledge Network is the information-sharing platform through which the United Nations addresses energy access and energy security challenges. This source discusses the main objectives of the UN towards the achievement of the Sustainable Development Goals. It provides information useful for the identification of guidelines and policies to be developed by countries, with the aim of ensuring sustainable energy for all by 2030.

United Nations, Industrial Development Organization. (2008). *Energy, Development and Security*. Retrieved 1 June 2014 from:

http://www.unido.org/fileadmin/user_media/Publications/documents/energy_development_and_security.pdf

The UN Industrial Development Organization (UNIDO) addresses energy-related matters, with a special focus on energy access for productive uses, low-carbon production systems and environment protection. In this publication, UNIDO discusses the challenges in the path towards energy security and all the related fields: energy efficiency, sustainable energy, energy trade, and the surrounding macroeconomic scenario.

University of Oxford. (2014). *A Roadmap for Renewable Energy in the Middle East and North Africa*. The Oxford Institute for Energy Studies Paper. Retrieved July 2, 2014 from: <http://www.oxfordenergy.org/wpcms/wp-content/uploads/2014/01/MEP-6.pdf>

This document is published by the University of Oxford as a paper of the Oxford Institute for Energy Studies, and provides information on the role of MENA countries as both producers and consumers of energy. It highlights the importance of investing in renewable sources of energy, especially solar power, given the high potential of the region in this field. However, it also stresses the need of economic and regulatory reforms in the energy market in the MENA area.

II. Standard Minimum Rules for the Treatment of Prisoners

Introduction

As established by international documents, all individuals are “born free and equal in dignity and rights.”⁹⁴ When individuals are imprisoned, they still retain their inherent rights for humane treatment.⁹⁵ The global prisoner population has recently grown throughout the world, with approximately 10 million individuals currently imprisoned.⁹⁶ The increase has led to the overcrowding of facilities, which perpetuates poor treatment and can lead to increased situations of torture.⁹⁷ In addition, different groups of prisoners have different needs. Accordingly, the discussion of standard minimum rules for the treatment of prisoners is a very timely topic, one that must be addressed and reviewed to ensure that prisoners are treated according to international requirements.

International and Regional Framework

The UN has discussed human rights and principles for the treatment of prisoners since its beginning. In 1948, the *Universal Declaration of Human Rights* (UDHR) established principles of basic human rights belonging to all persons.⁹⁸ Several articles of the UDHR are related directly to human rights during arrest, trial, and imprisonment. Article 5 of the UDHR states torture should not be a form of punishment, and Article 7 emphasizes “All are equal before the law and are entitled without any discrimination to equal protection of the law.”⁹⁹ Articles 9, 10, and 11 state protection against “arbitrary arrest,” access “to a fair and public hearing by an independent and impartial tribunal,” and that individuals charged must be considered innocent until a trial has found guilt.¹⁰⁰

One of the most significant documents on the topic of appropriate treatment of prisoned individuals was produced the following decade, in 1955. The UN’s *Standard Minimum Rules for the Treatment of Prisoners*, also referred to as the SMRs, serve “as an authoritative set of global principles and practices for the treatment of prisoners and the management of penitentiary institutions.”¹⁰¹ They were initially established in Geneva at the First UN Congress on the Prevention of Crime and the Treatment of Offenders and were created as a foundation for the humane treatment of prisoners.¹⁰² The first section of the document is composed of “Rules of General Application,” and the second discusses specific circumstances that may relate to prisoners, including those who have been sentenced, those who have mental illness, arrested individuals who have not received a sentence, and prisoners held without charge.¹⁰³ The SMRs were adopted by the Economic and Social Council (ECOSOC) in 1957 within ECOSOC resolution 663 C (XXIV), and further considered in the 1977 ECOSOC resolution 2076 (LXII).¹⁰⁴

Since the *Standard Minimum Rules*, many international documents have discussed rules for prisoner treatment. The *International Covenant on Civil and Political Rights* was adopted by the General Assembly (GA) in 1966 and put into effect in 1976.¹⁰⁵ Article 6 of the Covenant establishes that in Member States with the death penalty, it can be carried out “only for the most serious crimes” and after sentencing by a fair court process and access to appeals; it cannot be carried out against anyone under the age of 18 or a woman who is pregnant.¹⁰⁶ Article 7 echoes previous

⁹⁴ Office of the UN High Commissioner for Human Rights, *Human Rights and Prisons: A Pocketbook of International Human Rights Standards for Prison Officials*, 2005, p. 1.

⁹⁵ Office of the UN High Commissioner for Human Rights, *Human Rights and Prisons: A Pocketbook of International Human Rights Standards for Prison Officials*, 2005, p. 2.

⁹⁶ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

⁹⁷ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

⁹⁸ United Nations, *Universal Declaration of Human Rights*, 10 December 1948.

⁹⁹ United Nations, *Universal Declaration of Human Rights*, Article 5, 7, 10 December 1948.

¹⁰⁰ United Nations, *Universal Declaration of Human Rights*, Article 9-11, 10 December 1948.

¹⁰¹ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

¹⁰² UN Office on Drugs and Crime, *United Nations Prison-Related Standards and Norms* [Web Site], 2014; United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977; American Society of Criminology, *First UN Congress on the Prevention of Crime and Treatment of Offenders* [Web Site].

¹⁰³ United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977.

¹⁰⁴ United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977.

¹⁰⁵ UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966.

¹⁰⁶ UN General Assembly, *International Covenant on Civil and Political Rights*, Article 6, 16 December 1966.

UN documents in its statement against torture or “cruel, inhuman or degrading treatment;” Article 10 requires that any individuals “deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person” and that prison systems should treat prisoners with “the essential aim of...their reformation and social rehabilitation.”¹⁰⁷ Article 10 also emphasizes the separation of juveniles and adults, as well as of individuals on trial from those convicted.¹⁰⁸ The GA’s 1979 *Code of Conduct for Law Enforcement Officials* provides guidance on treatment of those arrested.¹⁰⁹ In 1990, the GA established *Basic Principles for the Treatment of Prisoners*.¹¹⁰ Provisions for treatment are also embodied in the International Criminal Court’s *Rome Statute* of 1998.¹¹¹

Other documents of international precedence have focused on the freedom of prisoners from torture and other forms of unacceptable treatment for prisoners. In 1975, the General Assembly adopted the *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*.¹¹² In 1984, the General Assembly agreed upon the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*; four years later, it also created the *Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment (A/RES/43/173)*.¹¹³ In 2002, an Optional Protocol to the *Convention against Torture* was also adopted, creating the Subcommittee on Prevention against Torture and establishing country visits in situations of potential torture or mistreatment.¹¹⁴ One hundred and fifty-four of the current 193 UN Member States have signed onto the *Convention against Torture*, but many of these Member States have not fulfilled the requirement to report on their country in relation to the Convention.¹¹⁵ Accordingly, additional states need to ratify the Convention and those who have should increase required reporting participation.¹¹⁶

Role of the United Nations System

In 1985, the UN Commission on Human Rights established the position of Special Rapporteur on Torture in resolution 1985/33.¹¹⁷ With the responsibility to protect from torture or other “cruel, inhuman or degrading treatment or punishment,” the Special Rapporteur receives information from Member States on abuses; monitors and reports adherence to international protocol; makes urgent requests in alleviating situations of torture; and visits Member States.¹¹⁸ The Special Rapporteur also works with other UN entities, including the Commission on Human Rights’ Committee against Torture and the Commission on Crime Prevention and Criminal Justice (CCPCJ), which recommends adoption of documents to ECOSOC.¹¹⁹

ECOSOC has also actively engaged in the discussion of the international and national treatment of prisoners. The *Standard Minimum Rules* were adopted by ECOSOC in 1955 and 1977. In 1984, ECOSOC also established policies

¹⁰⁷ UN General Assembly, *International Covenant on Civil and Political Rights*, Article 7, 10, 16 December 1966.

¹⁰⁸ UN General Assembly, *International Covenant on Civil and Political Rights*, Article 10, 16 December 1966.

¹⁰⁹ UN Office of the High Commissioner for Human Rights, *Combatting Torture*, p. 5.

¹¹⁰ UN General Assembly, *Basic Principles for the Treatment of Prisoners (A/RES/45/111)* [Resolution], 14 December 1990.

¹¹¹ International Criminal Court, *Rome Statute of the International Criminal Court*, 17 July 1998.

¹¹² UN General Assembly, *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 9 December 1975.

¹¹³ UN General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)* [Resolution], 10 December 1984; UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (A/RES/43/173)* [Resolution], 9 December 1988.

¹¹⁴ UN General Assembly, *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/57/199)* [Resolution], 18 December 2002.

¹¹⁵ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

¹¹⁶ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

¹¹⁷ UN Office of the High Commissioner for Human Rights, *Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* [Web Site], ; UN Commission on Human Rights, *Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/1985/33)* [Resolution], 1985.

¹¹⁸ UN Office of the High Commissioner for Human Rights, *Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* [Web Site], N.D; UN Office of the High Commissioner for Human Rights, *Methods of Work of the Special Rapporteur on Torture*.

¹¹⁹ UN Office of the High Commissioner for Human Rights, *Methods of Work of the Special Rapporteur on Torture*; UN Office of the High Commissioner for Human Rights, *Combatting Torture*, p. 11.

for more fully enacting the *Standard Minimum Rules* in resolution 1984/47.¹²⁰ In 1989, ECOSOC created *Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement*, encouraging Member States to adopt the Guidelines within their individual legal systems.¹²¹ Recently, ECOSOC has created the *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders*, also known as the Bangkok Rules (2010).¹²² The Bangkok Rules emphasize that gendered considerations are significant in the treatment of prisoners and had been mostly left out of the SMRs in 1955.¹²³ During its 2012 Substantive Session, ECOSOC discussed the treatment of prisoners and adopted a resolution on the topic in the General Segment of the meeting.¹²⁴ In the resulting resolution 2012/13, recommended by the CCPCJ, ECOSOC encourages all Member States to consider the needs of prisoners with disabilities and to share data on successful strategies with one another and with those in the UN working on improving the *Standard Minimum Rules*, and requested the continued support of the Secretary-General, the UN system, and Member States in supporting efforts related to the treatment of prisoners.¹²⁵ In 2013, also on the recommendation on CCPCJ, ECOSOC discussed the *Standard Minimum Rules for the Treatment of Prisoners (E/RES/2013/35)*; the Council also looked at *Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (E/RES/2013/34)*.¹²⁶

Rights of Prisoners

According to the *Standard Minimum Rules* and the *Basic Principles for the Treatment of Prisoners*, there are fundamental rights that embody how an individual without liberty should be treated.¹²⁷ Prisoners have inalienable human rights: their cultural and religious preferences must be respected; they should be provided adequate healthcare; and they should receive opportunities for educational and professional growth during imprisonment, which will aid in their integration back into society once they are released.¹²⁸ Prisoners have the right to be treated without discrimination.¹²⁹ In relation to their healthcare, *A/RES/37/194* (1982) requires that prisoners must have the same access to quality healthcare as do those who are not imprisoned.¹³⁰ Prisoners must have access to legal help and to documents on imprisonment and their medical care.¹³¹ They are to receive appropriate accommodations, have access to personal hygiene, be given the ability to exercise outside, and should be provided nutritional food and drinking water on a regular basis.¹³² Prisoners should not be incorporated into disciplinary positions, and their own discipline must be carried out “with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.”¹³³ According to the *Convention on the Rights of Persons With Disabilities* (2006), individuals with disabilities must also be treated equally and be protected from torture or inappropriate treatment.¹³⁴

Under international precedence, all prisoners have protection against torture and cruel and unusual treatment or punishment. The Special Rapporteur on Torture has recommended that governments and authorities oppose all

¹²⁰ UN Economic and Social Council, *Use and Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice (E/CN.15/1998/L.13)*, 28 April 1998.

¹²¹ UN Office of the High Commissioner for Human Rights, *Combatting Torture*, p. 6.

¹²² UN Economic and Social Council, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (E/RES/2010/16)* [Resolution], 2010.

¹²³ UN Economic and Social Council, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (E/RES/2010/16)* [Resolution], 2010.

¹²⁴ International Institute for Sustainable Development, *ECOSOC Substantive Session Adopts Resolutions on Development Matters* [Web Site], 27 July 2012; UN Economic and Social Council, *Standard Minimum Rules for the Treatment of Prisoners (E/RES/2012/13)* [Resolution], 10 August 2012.

¹²⁵ UN Economic and Social Council, *Standard Minimum Rules for the Treatment of Prisoners (E/RES/2012/13)* [Resolution], 10 August 2012.

¹²⁶ UN Economic and Social Council, *2013 ECOSOC Resolutions* [Web Site], 2013.

¹²⁷ UN General Assembly, *Basic Principles for the Treatment of Prisoners (A/RES/45/111)* [Resolution], 14 December 1990.

¹²⁸ UN Office of the High Commissioner for Human Rights, *Combatting Torture*, pp. 9-10; UN General Assembly, *Basic Principles for the Treatment of Prisoners (A/RES/45/111)* [Resolution], 14 December 1990.

¹²⁹ UN General Assembly, *Basic Principles for the Treatment of Prisoners (A/RES/45/111)* [Resolution], 14 December 1990.

¹³⁰ UN Office of the High Commissioner for Human Rights, *Combatting Torture*, pp. 7-8.

¹³¹ UN Office of the High Commissioner for Human Rights, *Combatting Torture*, pp. 7-8.

¹³² United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977, pp. 2-3.

¹³³ United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977, pp. 4-5.

¹³⁴ United Nations, *Convention on the Rights of Persons with Disabilities*, 2006.

methods of torture and that detention without charge should be abolished.¹³⁵ The Special Rapporteur has similarly recommended that all Member States remove the practice of solitary confinement for extended periods of time, as it can lead to torture; for similar reasons, the Special Rapporteur has also argued that the death penalty may be considered torture.¹³⁶ In order to ensure that established SMRs are adhered to by police, penal system employees, and other authorities, it is important for materials regarding international laws on prisoner treatment be made available to these individuals.¹³⁷ The *Standard Minimum Rules* also require that personnel who work with prisoners must be chosen carefully, considering the “integrity, humanity, professional capacity and personal suitability for the work.”¹³⁸

Child and Youth Prisoners

The rights of children and youth also must be considered within penal systems. According to the UN Office on Drugs and Crime (UNODC), approximately 1 million children are imprisoned, and some Member States do not adequately treat adult and child prisoners differently as required.¹³⁹ Imprisoned children have an increased chance of experiencing violence, inadequate healthcare, sickness, and abuse.¹⁴⁰ In 1989, Article 37 of the *Convention on the Rights of the Child* enshrined that children should not experience torture or similar forms of punishment; they also should not be sentenced to death or life in prison.¹⁴¹ Children must be imprisoned “only as a measure of last resort and for the shortest appropriate period of time,” and Article 37 also states that children “deprived of liberty shall be treated with humanity and respect.”¹⁴² International protections extended to juvenile prisoners have also been emphasized in GA resolutions 40/33 (1985), 45/112 (1990), and 45/113 (1990).¹⁴³

Female Prisoners

Recently in *A/RES/68/156* (2014), the General Assembly emphasized that all Member States should “adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment.”¹⁴⁴ Indeed, the consideration of the treatment of all women prisoners is a significant topic to be approached within rules for the humane treatment of the imprisoned. While female prisoners are small in number compared to male prisoners internationally – they make up less than 10% of prisoners on average – the number of imprisoned women is increasing in Member States.¹⁴⁵ However, most prisons remain targeted towards the needs of male prisoners.¹⁴⁶ The *Standard Minimum Rules* only refer to the needs of women in a few instances: women cannot be discriminated upon because of their sex; men and women should, whenever feasible, be housed separately, with female authority in charge of the female area; and that women should have appropriate access to medical care in relation to pregnancy and can nurse their children.¹⁴⁷ ECOSOC’s 2010 *Bangkok Rules* highlight that the *Standard Minimum Rules* do not adequately discuss the needs of female prisoners, and that it is important for the international community to consider how to better improve imprisonment conditions of women offenders.¹⁴⁸

Current Review of the Standard Minimum Rules

¹³⁵ UN Office of the High Commissioner for Human Rights, *General Recommendations of the Special Rapporteur on Torture*, p. 1.

¹³⁶ UN Office of the High Commissioner for Human Rights, *General Recommendations of the Special Rapporteur on Torture*, 4; UN Office of the High Commissioner of Human Rights, *Death Penalty Increasingly Viewed as Torture, UN Special Rapporteur Finds* [Article], 23 October 2012.

¹³⁷ UN Office of the High Commissioner for Human Rights, *General Recommendations of the Special Rapporteur on Torture*, p. 4.

¹³⁸ United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977, p. 7.

¹³⁹ UN Office on Drugs and Crime, *Children, Victims and Women’s Issues* [Web Site], 2014.

¹⁴⁰ UN Office on Drugs and Crime, *Children, Victims and Women’s Issues* [Web Site], 2014.

¹⁴¹ UN General Assembly, *Convention on the Rights of the Child*, Article 37, 20 November 1989.

¹⁴² UN General Assembly, *Convention on the Rights of the Child*, Article 37, 20 November 1989.

¹⁴³ UN Crime and Justice Information Network, *UN Standards, Guidelines and International Instruments*, 1999.

¹⁴⁴ UN General Assembly, *Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 18 December 2013.

¹⁴⁵ UN General Assembly, *Thirteenth United Nations Congress on Crime Prevention and Criminal Justice Discussion Guide*, 19 July 2013, 31; Quaker United Nations Office, *Women in Prison*, June 2008, p. 1.

¹⁴⁶ UN General Assembly, *Thirteenth United Nations Congress on Crime Prevention and Criminal Justice Discussion Guide*, 19 July 2013, p. 31.

¹⁴⁷ United Nations, *Standard Minimum Rules for the Treatment of Prisoners*, 1955, 1957, 1977, p. 8.

¹⁴⁸ UN Economic and Social Council, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (E/RES/2010/16)* [Resolution], 2010.

The *Standard Minimum Rules* have accomplished much in creating international rules for the treatment of individuals imprisoned throughout the world. However, there are many aspects of the SMRs that do not address the modern treatment of prisoners.¹⁴⁹ For example, some groups have special needs in imprisonment.¹⁵⁰ There have been many developments in criminal law and imprisonment trends and policies since the SMRs were originally established in 1955, and the Rules do not yet reflect such changes.¹⁵¹ Accordingly, in 2010, the GA requested that CCPCJ create “an open-ended intergovernmental expert group...to exchange information on...national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners.”¹⁵² In 2011, CCPCJ initiated this SMR review process, and the First Meeting of the Intergovernmental Expert Group was held in Vienna from 31 January to 2 February 2012.¹⁵³ At that meeting, it was discussed that the *Standard Minimum Rules* had greatly assisted the international community, but that some areas within the SMRs needed review, without removing the Rules’ current efficacy.¹⁵⁴ The Expert Group established initial areas in which the SMRs could be further addressed, including the inherent human rights of prisoners, access to healthcare, how authorities and personnel become familiar with the SMRs, how punishments are delivered, and the consideration of how “Protection and special needs of vulnerable groups deprived of their liberty” are approached.¹⁵⁵

In December 2012, the Second Meeting of the Expert Group was held in Buenos Aires.¹⁵⁶ At this meeting, the Expert Group considered many revisions for the *Standard Minimum Rules*, including extending the classifications of discrimination; highlighting the needs of expanded healthcare coverage, including for HIV, drug dependence, and the expansion of services for women; emphasizing the need for healthcare providers to report any torture or other inhumane punishment or treatment; and further reducing the use of solitary confinement.¹⁵⁷ The Third Meeting of the Intergovernmental Expert Group was held from 25-28 March 2014 in Vienna.¹⁵⁸ At the meeting, those present received a working paper that had incorporated all previously suggested revisions.¹⁵⁹ It was recommended that the CCPCJ establish a timeframe for the SMR revision; that Member States be encouraged to engage in the review; and that civil society and intergovernmental partners continue to be included in the efforts of the Expert Group.¹⁶⁰

Conclusion

In October 2013, Special Rapporteur on Torture Juan Mendez stated that “the Rules have significantly lagged behind recent developments in international human rights law, and some areas are outdated and even contradict binding human rights instruments. [...] It is rather obvious that unless the Rules are revised, to adequately reflect the recent advances in international law and best practices, it is unlikely that penitentiary staff will look beyond what the current Rules require.”¹⁶¹ The *Standard Minimum Rules for the Treatment of Prisoners* has established within the international community key rights and expectations for the treatment and punishment of prisoners since 1955. However, as the work of the Intergovernmental Expert Group on the *Standard Minimum Rules* shows, there is much

¹⁴⁹ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

¹⁵⁰ United Nations, *Handbook on Prisoners with Special Needs*, 2009, p. 1.

¹⁵¹ Penal Reform International, *UN Standard Minimum Rules* [Web Site].

¹⁵² UN General Assembly, *Twelfth United Nations Congress on Crime Prevention and Criminal Justice (A/RES/65/230)* [Resolution], 21 December 2010, p. 3.

¹⁵³ International Justice Resource Center, *Revision of the Standard Minimum Rules for the Treatment of Prisoners to Continue* [Web Site], 31 December 2013.

¹⁵⁴ International Justice Resource Center, *Revision of the Standard Minimum Rules for the Treatment of Prisoners to Continue* [Web Site], 31 December 2013.

¹⁵⁵ UN Economic and Social Council, *Standard Minimum Rules for the Treatment of Prisoners (E/RES/2012/13)* [Resolution], 10 August 2012, p. 3.

¹⁵⁶ UN Office on Drugs and Crime, *United Nations Standard Minimum Rules for the Treatment of Prisoners* [Web Site], 2014.

¹⁵⁷ UN Commission on Crime Prevention and Criminal Justice, *Report on the Meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners Held in Buenos Aires from 11 to 13 December 2012 (UNODC/CCPCJ/EG.6/2012/4)* [Report], 27 December 2012.

¹⁵⁸ UN Office on Drugs and Crime, *United Nations Standard Minimum Rules for the Treatment of Prisoners* [Web Site], 2014.

¹⁵⁹ UN Economic and Social Council, *Report of the Open-Ended Intergovernmental Expert Group of the Standard Minimum Rules for the Treatment of Prisoners as its Third Meeting (E/CN.15/2014/19)* [Report], 10 April 2014.

¹⁶⁰ UN Economic and Social Council, *Report of the Open-Ended Intergovernmental Expert Group of the Standard Minimum Rules for the Treatment of Prisoners as its Third Meeting (E/CN.15/2014/19)* [Report], 10 April 2014, p. 3.

¹⁶¹ UN Department of Public Information, *Press Conference By Special Rapporteur on Torture* [Press Release], 22 October 2013.

that can be accomplished to revise the SMRs to be more inclusive and consider the needs of different groups throughout the world.

As delegates prepare to discuss the topic, they should try to answer the following questions: How has your Member State incorporated the *SMRs* within its laws and prison system? What is the status of prisoner treatment of your Member State? How has your Member State addressed the needs of different prisoner populations, including women and children? What revisions should be made to the *SMRs*?

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https://www.unodc.org/unodc/en/commissions/CCPCJ/Resolutions_Decisions/Resolutions_2010-2019.html

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is a significant United Nations (UN) entity, which often discusses issues related to imprisonment. On this Web site, the CCPCJ includes all resolutions and decisions made by the Economic and Social Council, General Assembly, and the CCPCJ from 1950 to the present. Organized chronologically by decade, it allows for easy perusal of materials related to the topic of the Standard Minimum Rules and Treatment of Prisoners, including the needs of women offenders and juvenile offenders.

Office of the United Nations High Commissioner for Human Rights. (2005). *Human Rights and Prisons: A Pocketbook of International Human Rights Standards for Prison Officials*. Retrieved 6 June 2014 from: http://www.penalreform.org/wp-content/uploads/2013/05/man-2005-humanrightsandprisons-pocketguide-en_0.pdf

In the 2000s, the Office of the UN High Commissioner for Human Rights published a series of four documents related to the treatment of individuals in prison in relation to international human rights concerns. One of these documents is this "Pocketbook of International Human Rights Standards for Prison Officials," which brings together principles of basic human rights for prison officials to consult as they work with prisoners. This resource will be beneficial to delegates, as it provides many key elements of international documents on prisoner treatment in a single place and leads delegates to international documents that are instrumental to this topic.

United Nations. (1955, 1957, 1977). *Standard Minimum Rules for the Treatment of Prisoners*. Retrieved 6 June 2014 from:

http://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf

The Standard Minimum Rules (SMRs) for the Treatment of Prisoners was first established by the UN in 1955 and was adopted by the Economic and Social Council in 1957 and augmented in 1977. They remain a key document in the field of humane treatment of prisoners and provide a basis of appropriate treatment of imprisoned individuals for Member States and those who work with prisoners. This is a significant document to review in order to understand many of the current practices in relation to the treatment of prisoners. It is also important due to recent international efforts to revise and modernize the SMRs.

UN Economic and Social Council. (2010). *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)* [E/RES/2010/16]. Retrieved 6 June 2014 from: <http://www.un.org/en/ecosoc/docs/2010/res%202010-16.pdf>

When the Standard Minimum Rules for the Treatment of Prisoners were created in the 1950s, the SMRs did not provide specific consideration for the needs of women. The Economic and Social Council, in E/RES/2010/16, has established a specific set of rules, also known as the Bangkok Rules, which pertain to the treatment of female prisoners, providing a gendered perspective to the topic. This resolution provides extensive information on the background precedence of the treatment of prisoners and the considerations of imprisoned women, as well as lists areas in which the needs of women can be more fully met humanely and effectively.

United Nations General Assembly. (2013, March 11). *Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Juan E. Mendez, Addendum (A/HRC/25/60/Add.2)*. Retrieved 6

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The UN has appointed a Special Rapporteur on Torture, Juan Mendez, who monitors the treatment of prisoners throughout the world and visits Member States in relation to prisoner treatment. This report was prepared in March 2013 by the Special Rapporteur for the Human Rights Council, to report on the time period from 2011 to 2013 in relation to the Rapporteur's areas of responsibility. Within the document, the Special Rapporteur reports on each Member State and its adherence to established international rules. This report is helpful for delegates to research recent concerns in their individual Member States, as well as learn about international concerns in other Member States.

UN General Assembly. (2013, July 19). *Thirteenth United Nations Congress on Crime Prevention and Criminal Justice Discussion Guide (A/CONF.222/PM/1)*. Retrieved 7 June 2014 from:

https://www.unodc.org/documents/crime-congress/13th_crime_congress/RPM/Discussion%20Guide/ACONF222_PM1_e_V13853671.pdf

The Thirteenth UN Congress on Crime Prevention and Criminal Justice will be held in Doha, Qatar, in April 2015. One of the topics of discussion at the Congress will be the role of the UN in considering the treatment of female and child offenders. Previous to the Congress, the UN has published a discussion guide on the topics that will be addressed, and pages 29 through 34 specifically discuss aspects of the current international discussion on meeting the needs of female prisoners. Of particular assistance will be the Questions for Discussion on pages 33 and 34, which provide essential questions to consider on how to better approach and review the Standard Minimum Rules in relation to female imprisonment.

UN Office on Drugs and Crime. (2008). *Handbook for Prison Managers and Policymakers on Women and Imprisonment*. Retrieved 7 June 2014 from: <http://www.unodc.org/documents/justice-and-prison-reform/women-and-imprisonment.pdf>

In 2008, the UN Office on Drugs and Crime (UNODC) produced a handbook that specifically discussed the needs of female prisoners and their treatment. The handbook provides information on the unique needs of women in imprisonment, including in healthcare, family connections, and pregnancy; in the organization and running of prison facilities for women; and in decreasing the number of women who are imprisoned. It also provides "key recommendations" on how female prisoners should be treated within the larger prison system. It accordingly provides extensive information on the specific situations that female prisoners face and also gives many statistics and case studies in relation to women offenders.

UN Office on Drugs and Crime. (2014). *Standard Minimum Rules for the Treatment of Prisoners* [Web Site]. Retrieved 7 June 2014 from: <http://www.unodc.org/unodc/en/justice-and-prison-reform/expert-group-meetings6.html>

On the UNODC Web site, the organization provides information regarding each of the three Intergovernmental Expert Group meetings that have occurred thus far on the SMRs. This Web Site gives a summary of the previous meetings of the Expert Group and shows the most recent meeting, the third meeting, which occurred in Vienna, Austria in March 2014. It links to each response that the Expert Group received from Member States in relation to its workings, and so it will provide a useful source to see whether your Member State participated in the SMR revisions of the third meeting and what they said.

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Rules of Procedure

Economic and Social Council Plenary

Introduction

1. These rules shall be the only rules which apply to the Economic and Social Council (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 Director and the Assistant Director are designates and agents of the Secretary-General and Deputy Secretary-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Deputy Secretary-General or her/his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations (NMUN) and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Council, which can be any member of the Secretariat or their designate.
5. The practice of striving for consensus in decision-making shall be encouraged. NMUN also acknowledges it may sometimes be necessary for a Member State to abstain or vote against a resolution it cannot support for policy reasons.

I. SESSIONS

Rule 1 - *Dates of convening and adjournment*

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

Rule 4 - *Adoption of the agenda*

The agenda provided by the Deputy Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, those present and voting means those Member States and observers, in attendance at the meeting during which this motion comes to a vote. Should the Council not reach a decision by conclusion of the first session's meeting, the agenda will be automatically set in the order in which it was first communicated.

Rule 5 - Revision of the agenda

During a session, the 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. Debate on the inclusion of an item in the agenda shall be limited to three speakers in favor of, and three against, the inclusion. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a session, may be placed on the agenda if the Council so decides by a two-thirds majority of the members present and voting. No additional item may, unless the Council decides otherwise by a two-thirds majority of the members present and voting, be considered until a commission has reported on the question concerned.

For purposes of this rule, the determination of an item of an important and urgent character is subject to the discretion of the Deputy Secretary-General, or his or her designate, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Council to be placed on the agenda. The votes described in this rule are substantive votes, and, as such, observers are not permitted to cast a vote. For purposes of this rule, the members "present and voting" means members (not including observers) in attendance at the session during which this motion comes to vote.

Rule 6 - Explanatory memorandum

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

III. SECRETARIAT

Rule 7 - Duties of the Secretary-General

1. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Council.
2. The Secretary-General, in cooperation with the Deputy 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 and distribute documents of the Council to the Members, and generally perform all other work which the Council may require.

Rule 9 - Statements by the Secretariat

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

Rule 10 - Selection of the President

The Secretary-General or her/his designate shall serve as President 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 or her/his designate.

IV. LANGUAGE

Rule 12 - Official and working language

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

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

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

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit. The language should be the official language of the country you are representing at NMUN.

V. CONDUCT OF BUSINESS

Rule 14 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one-third of the members of the 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 first session's meeting.

Rule 15 - General powers of the President

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

Included in these enumerated powers is the power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference and is limited to entertaining motions.

Rule 16 - Authority of the Council

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

Rule 17 - Voting rights on procedural matters

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

For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this rule is applied. Note that observers may vote on all procedural

votes; they may, however, not vote on substantive matters (see Chapter VI). Every delegation must cast a vote in procedural votes. Further, there is no possibility to abstain or pass on procedural votes

Rule 18 - Points of order

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

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

Rule 19 - Speeches

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

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

Rule 20 - List of Speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate, the President may announce the list of speakers and, with the consent of the Council, declare the list closed. Once the list has been closed, it can be reopened upon by a vote of the Council. 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 speaker's list or reopen (if the list has already been closed) 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. The right of reply will not be approved should it impugn the integrity of another State.

Rule 22 - Suspension of the meeting

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

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

Rule 23 - Adjournment of the meeting

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

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

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the 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 18, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

1. To suspend the meeting;
2. To adjourn the meeting;
3. To adjourn the debate on the item under discussion;
4. To close the debate on the item under discussion.

Rule 27 - Proposals and amendments

Proposals and amendments shall normally be submitted in writing to the Secretariat. Any proposal or amendment that relates to the substance of any matter under discussion shall require the signature of 20% of the members of the Council [sponsors].

The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. Proposals shall, to any extent possible, be 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 during formal speeches. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the 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. Should delegates wish to withdraw a working paper or draft resolution from consideration, this requires the consent of all sponsors.

Rule 28 - Withdrawal of motions

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

Rule 29 - Reconsideration of a topic

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

Rule 30 - Invitation to silent prayer or meditation

Immediately after the opening of the first meeting, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation.

VI. VOTING

Rule 31 - 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 32 - 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. Adoption by "acclamation" or "without a vote" is consistent not only with the educational mission of the conference but also the way in which the United Nations adopts a majority of its proposals.

Rule 33 - Majority required

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

Rule 34 - Method of voting

1. The 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 member shall be called in any roll-call, and one of its representatives shall reply "yes," "no," "abstention," or "pass."

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

2. When the 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. Only delegates who are sponsors of a draft resolution that has been adopted with an unfriendly amendment, whom subsequently voted against the draft resolution may explain their vote.

Rule 36 - Conduct during voting

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

For purposes of this rule, there shall be no communication among delegates, and if any delegate leaves the Council room during voting procedure, they will not be allowed back into the room until the Council has convened voting procedure. Should a delegate who is also serving as Head Delegate leave the room, they may reenter but they may not retake their seat and participate in the vote.

Rule 37 - Division of proposals and amendments

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

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

Rule 38 - Amendments

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

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

Rule 39 - Voting on amendments

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

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

Rule 40 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the 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 - Credentials

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

Rule 43 - Authority of the General Assembly

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

VII. PARTICIPATION OF NON-MEMBERS OF THE COUNCIL

Rule 44 - Participation of non-Member States

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.

A sub-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 State thus invited shall not have the right to vote, but may submit proposals which may be put to the vote on request of any member of the body concerned.

If the Council considers that the presence of a Member invited, according to this rule, is no longer necessary, it may withdraw the invitation. Delegates invited to the Council according to this rule should also keep in mind their role and obligations in the Council that they were originally assigned to. For educational purposes of the NMUN Conference, the Secretariat may thus ask a delegate to return to his or her committee when his or her presence in the Council is no longer required. Delegates may request the presence of a non-member of their committee simply by informing the President that this is the desire of the body, there is no formal procedural process.

Rule 45 - Participation of national liberation movements

The 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.

National liberation movements are only represented at NMUN in two ways: (1) if their delegation has been assigned explicitly the national liberation movement itself; or (2) should the Security Council wish to hear from a representative of the movement in their deliberations, the Secretariat shall provide the appropriate representative.

Rule 46 - Participation of and consultation with specialized agencies

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

NMUN does not assign delegations to Specialized Agencies.

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

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

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