



NMUN • NY

GENERAL ASSEMBLY FIRST  
COMMITTEE  
BACKGROUND GUIDE 2010



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NATIONAL MODEL  
UNITED NATIONS

28 March - 1 April 2010 - Sheraton  
30 March - 3 April 2010 - Marriott

WRITTEN BY: Sameer Kanal, Daniel Leyva, Andrew Fisher, Jessie-Lynn A. Mace

## CONTACT THE NMUN

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

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### NMUN•NY 2010 Important Dates

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

31 January 2010	31 January 2010	<ul style="list-style-type: none"> <li>• Confirm Attendance &amp; Delegate Count. (Count may be changed up to 1 March)</li> <li>• Make Transportation Arrangements - DON'T FORGET! (We recommend confirming hotel accommodations prior to booking flights.)</li> </ul>
15 February 2010	15 February 2010	<ul style="list-style-type: none"> <li>• Committee Updates Posted to <a href="http://www.nmun.org">www.nmun.org</a></li> </ul>
1 March 2010	1 March 2010	<ul style="list-style-type: none"> <li>• Hotel Registration with FULL PRE-PAYMENT Due to Hotel - Register Early! Group Rates on hotel rooms are available on a first come, first served basis until sold out. Group rates, if still available, may not be honored after that date. See hotel reservation form for date final payment is due.</li> <li>• Any Changes to Delegate Numbers Must be Confirmed to: <a href="mailto:karen@nmun.org">karen@nmun.org</a></li> <li>• Two Copies of Each Position Paper Due via E-mail (See Delegate Preparation Guide for instructions).</li> <li>• Preferred deadline for submission of Chair / Rapp applications to Committee Chairs</li> </ul>
1 March 2010	1 March 2010	<ul style="list-style-type: none"> <li>• All Conference Fees Due to NMUN for confirmed delegates. (\$125 per delegate if paid by 1 March; \$150 per delegate if received after 1 March. Fee is not refundable after this deadline.</li> </ul>
NATIONAL MODEL UNITED NATIONS		<p>The 2010 National Model UN Conference</p> <ul style="list-style-type: none"> <li>• 28 March - 1 April – Sheraton New York</li> <li>• 30 March - 3 April – New York Marriott Marquis</li> </ul>

## POSITION PAPER INSTRUCTIONS

**Two copies of each position paper should be sent via e-mail by 1 MARCH 2010**

### 1. TO COMMITTEE STAFF

A file of the position paper (.doc or .pdf) for each assigned committee should be sent to the committee e-mail address listed below. Mail papers by 1 March to the e-mail address listed for your particular venue. These e-mail addresses will be active when background guides are available. Delegates should carbon copy (cc:) themselves as confirmation of receipt. Please put committee and assignment in the subject line (Example: GAPLEN\_Greece).

### 2. TO DIRECTOR-GENERAL

- Each delegation should send one set of all position papers for each assignment to the e-mail designated for their venue: positionpapers.sheraton@nmun.org or positionpapers.marriott@nmun.org. This set (held by each Director-General) will serve as a back-up copy in case individual committee directors cannot open attachments.

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

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

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

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

[www.nmun.org](http://www.nmun.org)  
for more information

### COMMITTEE

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Security Council 2 .....	sc2.sheraton@nmun.org
SC Working Group: Children and Armed Conflict .....	caac.sheraton@nmun.org
International Court of Justice .....	icj.sheraton@nmun.org
ECOSOC Plenary .....	ecosoc.sheraton@nmun.org
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Commission on the Status of Women .....	csw.sheraton@nmun.org
Econ. Commission for Latin America & the Caribbean .....	eclac.sheraton@nmun.org
International Atomic Energy Agency .....	iaea.sheraton@nmun.org
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Organisation of The Islamic Conference .....	oic.sheraton@nmun.org

### COMMITTEE

### EMAIL - MARRIOTT

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General Assembly Third Committee .....	ga3rd.marriott@nmun.org
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Security Council 2 .....	sc2.marriott@nmun.org
SC Working Group: Children and Armed Conflict .....	caac.marriott@nmun.org
International Court of Justice .....	icj.marriott@nmun.org
ECOSOC Plenary .....	ecosoc.marriott@nmun.org
Committee for Development Policy .....	cdp.marriott@nmun.org
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United Nations Children's Fund .....	unicef.marriott@nmun.org
World Food Programme .....	wfp.marriott@nmun.org
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North Atlantic Treaty Organization .....	nato.marriott@nmun.org
Organisation of The Islamic Conference .....	oic.marriott@nmun.org

### OTHER USEFUL CONTACTS

Entire Set of Delegation Position Papers .....	positionpapers.sheraton@nmun.org
(send only to e-mail for your assigned venue) .....	positionpapers.marriott@nmun.org
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Dear Delegates,

We are pleased to welcome you to the 2010 National Model United Nations (NMUN). The Directors for the General Assembly First Committee (GA 1<sup>st</sup>) are Daniel Leyva (Sheraton Venue) and Sameer Kanal (Marriott Venue). Our Assistant Directors are Andrew Fisher (Sheraton Venue) and Jessie Mace (Marriott Venue).

Daniel Leyva graduated from the University of California, Los Angeles with a degree in International Relations. He currently works as a paralegal and will begin law school next fall. Andrew Fisher graduated in 2008 from the University of Wisconsin, Oshkosh with a degree in International Studies and Political Science. He is currently working as a Research Intern at the Arms Control Association in Washington, DC and plans to pursue a degree in international affairs. Sameer Kanal is in his fourth year as a director at NMUN. Sameer graduated in 2008 from the University of Washington with degrees in Political Science and Economics with emphasis on international development and human rights. Jessie Mace is in her final year of study at Bishop's University. Jessie is in the Political Science Honors program, and 2010 marks her first year on staff with NMUN.

The topics under discussion for the GA 1<sup>st</sup> at the 2010 NMUN are:

1. Illicit Arms Sales
2. The Control of Conflict Minerals
3. Privatization of War: Employing and Arming Independent Militias

The topics presented reflect the complex nature of issues the GA 1<sup>st</sup> is addressing. No topic has one simple answer; all topics will require an exceptional amount of research and knowledge in order to engage the intricate value of each matter. All three topics are of equal magnitude, and although each represented Member State will vary on their positions, all delegates must foster healthy debate, while remembering the scope of the United Nations is to cooperate in order to solve the issues presented.

This background guide is to serve as a catalyst for further and more in depth research for position papers and resolution writing. Delegates should consult the current work of the First Committee, the United Nations itself, and scholarly material (including journals and think tanks working on disarmament and international security). Moreover, delegates are expected to stay up to date with world events, as some may pertain to the topics at hand.

Each delegation must submit a position paper. NMUN will accept position papers via e-mail by March 1<sup>st</sup>, 2010 for both venues. Please refer to the guide from your Directors-General for NMUN's position paper requirement; adherence to these guidelines is critical.

The quality of the committee is dependent on the quality of the preparation. Best of luck in all of your pre-conference organization, and we all look forward to meeting you in the spring.

*Sheraton Venue*

Daniel Leyva

Director

Andrew Fisher

Assistant Director

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*Marriott Venue*

Sameer Kanal

Director

Jessie Mace

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## Message from the Directors-General Regarding Position Papers for the 2010 NMUN Conference

At the 2010 NMUN New York Conference, each delegation submits one position paper for each committee it is assigned to. Delegates should be aware that their role in each committee impacts the way a position paper should be written. While most delegates will serve as representatives of Member States, some may also serve as observers, NGOs or judicial experts. To understand these fine differences, please refer to the Delegate Preparation Guide.

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

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

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

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

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

1. **A file of the position paper** (.doc or .pdf) **for each assigned committee** should be sent to the committee email address listed in the Background Guide. These e-mail addresses will be active after November 15, 2009. Delegates should carbon copy (cc:) themselves as confirmation of receipt.
2. Each delegation should also send **one set of all position papers** to the e-mail designated for their venue: [positionpapers.sheraton@nmun.org](mailto:positionpapers.sheraton@nmun.org) or [positionpapers.marriott@nmun.org](mailto:positionpapers.marriott@nmun.org). This set will serve as a back-up copy in case individual committee directors cannot open attachments. These copies will also be made available in Home Government during the week of the NMUN Conference

Each of the above listed tasks needs to be completed no later than **March 1, 2010 for Delegations attending the NMUN conference at either the Sheraton or the Marriott venue.**

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

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

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

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

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

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

Sincerely yours,

*Sheraton Venue*  
Amanda Williams, LCSW  
Director-General

*Marriott Venue*  
Ronny Heintze  
Director-General

[amanda@nmun.org](mailto:amanda@nmun.org)

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## Sample Position Paper

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

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*Delegation from  
Canada*

*Represented by  
(Name of College)*

### *Position Paper for General Assembly Plenary*

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

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

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

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

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

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

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

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

## Committee History

### *Introduction*

As stated in the Charter of the United Nations, the General Assembly (GA) was founded in the aftermath of the Second World War as a means of providing this international organization with a main deliberative, policymaking and representative body.<sup>1</sup> It endeavored to promote the collective security of all Member States by providing an open forum for discussion as a means of conflict prevention.<sup>2</sup> The main characteristics of the GA were established prior to the end of the Second World War.<sup>3</sup> In fact, the Tehran Declaration in December 1943, as well as the Dumbarton Oaks Proposals in October 1944 determined a clear separation of labor between the General Assembly and the Security Council.<sup>4</sup> Thus, the GA differed from the Assembly found within the League of Nations.<sup>5</sup> The GA bears resemblance to an amalgamation of Western diplomatic and parliamentary procedures previously seen in many international conferences.<sup>6</sup> At its first session, the GA, as well as its main committees, had 51 Member States - as of October 2009, there are 192.<sup>7</sup> It is considered to be the world's paramount deliberative body, given its egalitarian ideology and worldwide membership composition.<sup>8</sup> This breadth of membership, as stated in Article 10 of the UN Charter, enables all Member States to participate in broad discussions surrounding issues affecting the global community. The main functions of the General Assembly are to initiate inquiries, discuss international matters, and recommend plausible solutions for all United Nations Member States.<sup>9</sup>

As established within article 22 of the UN Charter, the General Assembly is divided into main committees, as was believed to be essential for the General Assembly to adequately execute its functions.<sup>10</sup> Due to the amount of work faced by the General Assembly, all questions are divided among the main committees, the joint committees or the ad hoc committees.<sup>11</sup> In addition, in order to effectively perform their duty, the GA oversees many subsidiary organs including committees, commissions, working groups, boards, councils, and panels.<sup>12</sup> All of these bodies present their recommendations to a plenary meeting of the General Assembly for its consideration.<sup>13</sup> The General Assembly Plenary and the six current main committees are overseen by the President of the Assembly and 21 Vice-Presidents and Chairpersons, each elected 3 months prior to the start of the regular session.<sup>14</sup>

As declared in Article 18 of the UN Charter, each Member State has one vote and all decisions require the approval of the majority of all present and voting members.<sup>15</sup> Nonetheless, a two-thirds majority is required for all decisions previously declared as an important question.<sup>16</sup> In the past, the principle of one state-one vote caused a significant amount of tension among states in the Assembly, who partook in the habitual practices of power politics.<sup>17</sup> However, consensus building, through various diplomatic techniques such as negotiations, open debate and diplomatic pressures, has been seen as increasingly important in GA politics, in order to provide strong support for the decisions made by the body.<sup>18</sup> Between 1975 and 1990, more than half the resolutions presented to the Assembly were adopted without a vote and since 1991, more than 75 percent have been passed in the same

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<sup>1</sup> United Nations General Assembly, *Functions and Powers of the General Assembly*, 2009.

<sup>2</sup> Van Genugten, *The United Nations of the Future*, 2006, p. 15.

<sup>3</sup> Peterson, *The UN General Assembly*, 2006, p. 9.

<sup>4</sup> Peterson, *The UN General Assembly*, 2006.

<sup>5</sup> Peterson, *The UN General Assembly*, 2006, p. 1.

<sup>6</sup> Peterson, *The UN General Assembly*, 2006, p. 2.

<sup>7</sup> Peterson, *The UN General Assembly*, 2006, p. 60.

<sup>8</sup> Peterson, *The UN General Assembly*, 2006, p. 1.

<sup>9</sup> Peterson, *The UN General Assembly*, 2006, p. 2.

<sup>10</sup> Ku, *A Comprehensive Handbook of the United Nations: Volume 1*, 1978, p. 112.

<sup>11</sup> United Nations, *Basic Facts About the United Nations*, 2004, p. 8.

<sup>12</sup> United Nations General Assembly, *Subsidiary Organs of the General Assembly*, 2009.

<sup>13</sup> United Nations, *Basic Facts About the United Nations*, 2004, p. 8.

<sup>14</sup> United Nations General Assembly, *By Acclamation, General Assembly Elects Veteran Libyan Diplomat to Preside Over its Sixty-Fourth Session*, 2009.

<sup>15</sup> Min-Chuan, *A Comprehensive Handbook of the United Nations: Volume 1*, 1978, p. 111.

<sup>16</sup> Peterson, *The UN General Assembly*, 2006, p. 73.

<sup>17</sup> Peterson, *The UN General Assembly*, 2006, p. 3.

<sup>18</sup> Ziring, *The United Nations International Organization and World Politics*, 2000, p. 38.

manner.<sup>19</sup> Moreover, considering the non-binding nature of the General Assembly's resolutions, each resolution is only as powerful as the support it receives from the international community.<sup>20</sup> Nevertheless, all resolutions from the GA hold a substantial amount of moral authority as they stem from the opinion of the international community.<sup>21</sup> The GA has instigated economic, humanitarian, social and legal actions that have significantly influenced all Member States, such as the Millennium Declaration in 2000.<sup>22</sup> These non-binding resolutions have come to be referred to as 'soft law' due to the fact that it remains important for the international community but has no legal standing.<sup>23</sup> However, a soft law could specify an action that will later be placed under international law.<sup>24</sup> Examples of 'soft law' can be found in the Declaration on International Terrorism in 1978 and the Rio Declaration of the United Nations Conference on Environment and Development in 1992.<sup>25</sup>

### ***General Assembly First Committee***

Following the creation of the main committees, the General Assembly First Committee held its first official meeting in January 1946.<sup>26</sup> The GA First Committee was established as being interested in matters relating to disarmament and international security.<sup>27</sup> As such, many diverse security topics are discussed within this committee, though all resolutions passed in the GA First Committee are considered to be proposals and are not considered UN resolutions until passed by the GA Plenary.<sup>28</sup>

During the Cold War, the First Committee offered the setting for the liveliest debates in the GA, due to the clash of the ideologies of the Union of Soviet Socialist Republics and the United States of America.<sup>29</sup> It presented an arena for debate over security issues, prior to topics advancing to the Plenary session.<sup>30</sup> Moreover, the GA First Committee has brought forth many important contributions to the international community, such as the 1971 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, the drafting of the Principles that should Govern Further Actions of States in the Field of the Freezing and Reduction of Military Budgets in 1989 and a significant portion of the United Nations Millennium Declaration in 2000, centered around disarmament.<sup>31</sup> Furthermore, the 63<sup>rd</sup> session of the General Assembly faced matters such as the development of a wide-ranging Nuclear Test-Ban Treaty, the possibility of nuclear proliferation in the Middle East, the reduction of military budgets, as well as the function of science and technology in matters of international security.<sup>32</sup> Through the years, the committee has been transformed as new issues have entered the agenda, such as a specialization in disarmament or the concern over human activity in outer space.<sup>33</sup>

The 64<sup>th</sup> session of the GA First Committee began in mid September 2009 and is scheduled until December 22, 2009.<sup>34</sup> The General Assembly adopted a lengthy agenda for this session of the First Committee on September 18, 2009.<sup>35</sup> These items include discussions on the African Nuclear-Weapon-Free Zone, the prevention of an arms race in outer space, the possibility of nuclear proliferation in the Middle East, as well as the overarching topic of general

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<sup>19</sup> Peterson, *The UN General Assembly*, 2006, p. 74.

<sup>20</sup> Childers & Urquhart, *Renewing the United Nations System*, 1994 p. 42f.

<sup>21</sup> United Nations, *Basic Facts about UN*, 2004, p. 8.

<sup>22</sup> United Nations General Assembly, *Functions and Powers of the General Assembly*, 2009.

<sup>23</sup> O'Brien, *International Law*, 2002, p. 98.

<sup>24</sup> O'Brien, *International Law*, 2002.

<sup>25</sup> O'Brien, *International Law*, 2002.

<sup>26</sup> United Nations General Assembly, *Second Plenary Meeting*, 1946.

<sup>27</sup> Ku, *A Comprehensive Handbook of the United Nations: Volume 1*, 1978, p. 464.

<sup>28</sup> Smith, *Politics and Process at the United Nations*, 2006, p. 161.

<sup>29</sup> Peterson, *The UN General Assembly*, 2006, p. 73.

<sup>30</sup> Peterson, *The UN General Assembly*, 2006.

<sup>31</sup> United Nations General Assembly, *Declarations and Conventions Contained in GA Resolutions*, 2009.

<sup>32</sup> United Nations General Assembly, *Allocation of Agenda Items for the 63<sup>rd</sup> Session of the General Assembly*, 2008.

<sup>33</sup> Peterson, *The UN General Assembly*, 2006, p. 61.

<sup>34</sup> Peterson, *The UN General Assembly*, 2006, p. 70.

<sup>35</sup> United Nations General Assembly, *Preliminary List of Items to be Included in the Provisional Agenda of the Sixty-Fourth Regular Session of the General Assembly (A/64/252)*, 2009, p. 1.

and complete disarmament, which in itself accounts for 28 items on the agenda.<sup>36</sup> These topics demonstrate the significant challenges faced by Member States in the 21<sup>st</sup> century as they work together in order to build a more secure world for the coming generations.

### **Must Reads**

Peterson, M. J. (2006). *The UN General Assembly*. New York: Routledge.

*This book presents a comprehensive overview of the General Assembly. It discusses its rules, the body's historical development, as well as the policy-making strategies that countries pursue. Delegates will greatly benefit in their understanding of what the GA's role in the UN system is, how the division of labor between the Plenary and Main Committees works and will receive an introduction into the key criticisms and challenges of reforming the main deliberative organ of the UN that need to be addressed if the GA is to live up to its central role in the system.*

United Nations. (n.d.). *Functions and Powers of the General Assembly*. Retrieved October 6, 2009 from <http://www.un.org/ga/about/background.shtml>

*This section of the United Nations website presents the multiple purposes and functions of the General Assembly. It provides the most up to date information regarding the General Assembly's role in the United Nations. It is an essential source as delegates need to comprehend the institutional architecture of the GA Plenary and its subsidiary bodies within the UN system.*

United Nations. (2004). *Basic Facts About the United Nations*. New York: United Nations Department of Public Information.

*This book presents a detailed explanation of the purpose and principles of the United Nations (UN), its structure, as well as the UN's involvement in key international issues. It focuses on each aspect of the UN so as to provide a complete and thorough background of the work of the organization. Besides the discussion of the structure of bodies, the book provides introduction to various central topics of the UN's mandate and shows how cooperation between the UN bodies involved in a policy field works.*

United Nations. General Assembly. 64<sup>th</sup> Session. (2009, June 12). *Preliminary List of Items to be Included in the Provisional Agenda of the Sixty-Fourth Regular Session of the General Assembly*. Retrieved from [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/64/50](http://www.un.org/ga/search/view_doc.asp?symbol=A/64/50)

*This document details the list of potential agenda items for the 64th session of the General Assembly – organized according to topic areas. It gives delegates a look at the organization of the agenda-setting and an understanding of the broad array of subjects that will be discussed during the upcoming GA session. .*

Van Genugten, W., Homan, K., Schrijver, N., & De Waart, P. (2006). *The United Nations of the Future: Globalization with a Human Face*. Amsterdam: KIT Publishers.

*This book gives an assessment of the United Nation's role in maintaining international peace and security. It provides a critical background into many global issues, resulting in the necessity for peace-keeping operations. In focusing on the analysis of the UN's historic role and future challenges in conflict prevention and human security, the book is especially relevant for delegates of the GA First Committee.*

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<sup>36</sup> United Nations, General Assembly, *Preliminary List of Items to be Included in the Provisional Agenda of the Sixty-Fourth Regular Session of the General Assembly (A/64/252)*, 2009, p. 5.

## I. Illicit Arms Sales

*“My country has suffered appallingly from the effects of the uncontrolled arms trade – and continues to suffer... We don’t manufacture these guns, yet they end up in our country, erode our security and have terrible consequences for our development.”*<sup>37</sup>

### **Introduction**

Article 11 of the United Nations (UN) Charter authorizes the General Assembly (GA) to consider “the principles governing disarmament and the regulation of armaments,” and the First Committee of the GA is the main venue for the discussion of all disarmament and international security questions in the UN, forming a vital component of the multilateral disarmament machinery of the UN System.<sup>38</sup> The GA has addressed the dangers caused by weapons of mass destruction since its founding, with the very first resolution, adopted in 1946, calling for “the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction.”<sup>39</sup>

While much discussion on arms control and disarmament has centered on preventing the use and proliferation of weapons of mass destruction – which include nuclear, chemical, and biological weapons – it has become clear that conventional weapons, in particular small arms and light weapons (SALW), are “weapons of mass destruction” in their own right.<sup>40</sup> Post Cold War conflicts, particularly those in Africa, have raised international consciousness of the massive problems associated with illicit arms sales, which have the potential to destabilize entire regions and create massive human rights abuses.<sup>41</sup> Addressing the problem of illicit arms sales requires a multi-faceted approach at the national, regional and international levels, and the UN has only recently begun to address all of its components.

Despite its best efforts, however, the illicit trafficking of conventional weapons — those weapons which are non-biological, non-chemical and non-nuclear — has continued to threaten the international community.<sup>42</sup> The excessive accumulation and spread of these weapons, especially of SALW, has contributed to a myriad of peace and security obstacles, including prolonged periods of armed conflict; illicit trafficking, volatile stockpiles of surplus weapons; and the threat of terrorism and transnational organized crime, all of which undermine UN efforts to ensure international cooperation and peace. Most observers recognize that the widespread proliferation of SALW contributes to violence and lawlessness, creating the conditions of chaos that allow terrorist networks to emerge and thrive.<sup>43</sup>

According to the Conventional Arms Branch of the UN Office for Disarmament Affairs (UNODA), SALW were the weapon of choice in 47 of 49 conflicts during the 1990s, with SALW responsible for destabilizing regions, fueling and sparking conflicts, undermining peace initiatives, hampering social and economic development, and fostering a culture of violence.<sup>44</sup> As Secretary-General Ban Ki-moon stated in a recent report, “cheap, light, and easy to handle” are the best words to describe SALW and lie at the heart of the problem that they cause.<sup>45</sup> They are the main types of weapons that are used in inter-state conflict, civil wars, terrorism, and transnational organized crime.<sup>46</sup>

In April 2008, the Security Council, under the Presidency of South Africa, held a day-long debate on the issue of SALW, where it was noted that there are at least 875 million SALW in circulation around the globe, which are responsible for over half a million deaths per year.<sup>47</sup> During the debate, many Member States talked of the pressing need to address a number of issues, such as strengthening physical security and stockpile management, surplus

<sup>37</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Need Global Controls*, 2006, p. 2.

<sup>38</sup> Reaching Critical Will, *General Assembly Factsheet*, (n.d.), p. 1.

<sup>39</sup> Reaching Critical Will, *General Assembly Factsheet*, (n.d.), p. 1.

<sup>40</sup> United Nations Office of Disarmament Affairs. *The UN Works for Peace and Security*, (n.d.).

<sup>41</sup> Keili, *Small Arms and Light Weapons Transfer in West Africa*, 2008, p. 6.

<sup>42</sup> Graduate Institute of International Studies, *Small Arms Survey*, 2006.

<sup>43</sup> Stohl, *Fighting the Illicit Trafficking of Small Arms*, 2005, p. 60.

<sup>44</sup> United Nations Office of Disarmament Affairs, *Conventional Arms Branch*, (n.d.).

<sup>45</sup> United Nations. Security Council, *Small Arms. Report of the Secretary-General (S/2008/258)*, 2008, p. 2.

<sup>46</sup> United Nations. Security Council, *Small Arms. Report of the Secretary-General (S/2008/258)*, 2008, p. 2.

<sup>47</sup> United Nations. Security Council. *Threat Posed to International Security by Uncontrolled Trade in Small Arms Cannot be Overemphasized Security Council Told As It Holds Day-Long Debate on Issue (SC/9316)*, 2008.

destruction, marking and tracing, strengthening export and border controls, and controlling brokering activities as a means to halting the illicit trade in SALW.<sup>48</sup>

### ***The Globalization of the International Arms Trade***

The international arms trade is increasingly global, where countries no longer produce all armaments in one country. Rather, arms producers have undergone a series of mergers and now integrate components sourced across the globe and production facilities have been established in developing countries in an effort to gain new markets or circumvent rules.<sup>49</sup> Declining military budgets in the world's top arms suppliers have caused them to search for new markets for export, causing a shift in sales of weapons to developing world, where the bulk of all new weapons orders are now taking place.<sup>50</sup>

While arms transfers, both legal and illegal, take place in a globalized market, governments have been left behind, constrained by national laws that are modeled after weak regional or global standards that are poorly enforced and riddled with loopholes. According to the Control Arms Campaign, "compared to the global transformation of the industry, government controls seem painfully anachronistic when measured against the worldwide need for better human security."<sup>51</sup> The illicit arms trade flourishes in the grey areas created by lax national regulation and enforcement. Establishing clear international guidelines for the important and export of conventional arms, such as through an arms trade treaty, would provide a level playing field for all arms exporters to compete in a responsible manner.<sup>52</sup>

While SALW represent only 5% of the total value of legal global arms transfers, more than 80% of contemporary conflicts are fought with them.<sup>53</sup> In addition, military spending has been increasing since its post Cold War low in the mid 1990s, reaching \$1,058.9 billion in 2005, driving primarily by the global war on terrorism, the wars in Iraq and Afghanistan, and through the modernization and expansion of militaries in fast-growing countries such as India and China.<sup>54</sup> It is estimated that global spending on arms alone grew 34% between 1996 and 2005, showing clearly that any disarmament dividend gained from the end of the Cold War is long gone.<sup>55</sup> While nowhere near the dollar value of the heavy conventional arms market, the small arms trade is big business, with the legal global small arms market estimated to be worth \$4 billion a year, while the illegal small arms trade is estimated to be closer to \$1 billion.<sup>56</sup>

### ***Small Arms and Light Weapons***

Following the first GA action on SALW in 1995 through resolution *A/RES/50/70 B*, much progress was made in coordinating multilateral cooperation against SALW following the UN Conference on the Illicit Traffic in Small Arms and Light Weapons in All its Aspects, which was held in 2001.<sup>57</sup> Its final document was the politically-binding Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (POA).<sup>58</sup> Since the 2001 conference, there have been three biennial meetings of states as well as a review conference in 2006, which failed to adopt a final document. The 3<sup>rd</sup> Biennial meeting of states made progress in addressing some important unfinished business, such as halting illicit brokering, improving stockpile management and security, supporting capacity building at the national and regional levels, and making progress on

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<sup>48</sup> United Nations, Security Council, *Threat Posed to International Security by Uncontrolled Trade in Small Arms Cannot be Overemphasized* Security Council Told As It Holds Day-Long Debate on Issue (SC/9316), 2008.

<sup>49</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Needs Global Controls*, 2006, p. 9.

<sup>50</sup> Yanik, *Guns and Human Rights: Major Powers, Global Arms Transfers, and Human Rights Violations*, 2006, pp. 380-381; Grimmett, *Conventional Arms Transfers to Developing Nations, 2001-2008*, 2009, p. 6.

<sup>51</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Needs Global Controls*, 2006, p. 24.

<sup>52</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Needs Global Controls*, 2006, p. 28.

<sup>53</sup> Graduate Institute of International Studies, *Small Arms Survey*, 2001, p. 96. .

<sup>54</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Needs Global Controls*, 2006, p. 6.

<sup>55</sup> Control Arms Campaign, *Arms Without Borders: Why a Globalised Trade Needs Global Controls*, 2006, p. 6.

<sup>56</sup> Stohl, *Fighting the Illicit Trafficking of Small Arms*, 2005, p. 61.

<sup>57</sup> United Nations General Assembly, *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*, 2001.

<sup>58</sup> United Nations, Office of Disarmament Affairs, *Small Arms and Light Weapons*, (n.d.).

marking and tracing SALW.<sup>59</sup> Ammunition, an emerging concern of the international community in light of several ammunition dump explosions that resulted in large numbers of civilian casualties, was also addressed.<sup>60</sup>

### ***Marking and Tracing***

The majority of small arms circulating on the black market begin as part of the legal trade. National and civilian stockpiles are the source of many of the SALW that sustain the activities of non-state armed groups, terrorist organizations and armed criminals.<sup>61</sup> It is estimated that at least 1 of every 1000 weapons in civilian hands finds its way into the illegal market.<sup>62</sup> Given a global civilian stockpile of 650 million weapons, this is a serious problem.<sup>63</sup> It is estimated that there are currently 76 million surplus military SALW in the world.<sup>64</sup> Taking into account the high costs of providing adequate security for large stockpiles of surplus weapons, research has shown that destruction tends to be both economically advantageous and a successful strategy for permanently removing weapons from circulation.<sup>65</sup> Effective instruments for marking and tracing of SALW, as well as information exchange among states, are essential in preventing the diversion of SALW from national stocks. If law enforcement officials were able to trace SALW back to their last legitimate owner, this would constitute an effective measure against illicit trafficking. In this respect, INTERPOL has established the Weapons Electronic Tracing System, a database that assists Member States in tracing stolen weapons.<sup>66</sup> Applying a unique marking to each weapon is the basis for tracing illicit small arms and light weapons and essential to national efforts towards introducing sound stockpile management. In 2005, following a consultative process with Member States and meetings of a GGE, the GA adopted a politically binding agreement on an international tracing instrument for SALW.<sup>67</sup>

### ***Illicit Brokering***

Arms brokering is a legitimate business practice utilized by defense industries, armed forces, and law enforcement to supply their personnel with arms for national self defense and other purposes. However, uneven national regulations or lax enforcement can create gaps that allow illicit brokering to flourish. In a 2007 report to the GA, a GGE, established in 2005 to study illicit brokering, agreed to a description of what constitutes illicit brokering and outlined steps to combat and eradicate it.<sup>68</sup> The report defines an arms broker as “a person or entity acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction of small arms and light weapons in return for some form of benefit.”<sup>69</sup> Brokering is deemed to be illicit if those activities are in violation of national laws or of a state’s international obligations.

Among the recommendations are proposals that states should impose penalties for all illicit brokering activities, as well as for transfers of arms that violate UN Arms embargoes. There are 50 Member States that have brokering covered under their existing export legislation, while there are 30 more that intend to develop them.<sup>70</sup> While a number of states now have legislation to regulate arms brokers, many such laws were weak and not fully

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<sup>59</sup> Leff, *UN Small Arms Process Back on Track: US Plays Limited Role*, 2008.

<sup>60</sup> United Nations General Assembly, *Problems Arising from the Accumulation of Conventional Ammunition Stockpiles in Surplus (A/63/182)*, 2008, p. 10.

<sup>61</sup> Stohl, *Fighting the Illicit Trafficking of Small Arms*, 2005, p. 61.

<sup>62</sup> Graduate Institute of International Studies, *Small Arms Survey*, 2008, p. 43.

<sup>63</sup> Graduate Institute of International Studies, *Small Arms Survey*, 2008, p. 62.

<sup>64</sup> Graduate Institute of International Studies, *Small Arms Survey*, 2008, p. 86.

<sup>65</sup> Turner, *Costs of Disarmament: Cost Benefit Analysis of SALW Destruction Versus Storage*, 2006, p. 3.

<sup>66</sup> United Nations. Security Council, *Small Arms. Report of the Secretary-General (S/2008/258)*, 2008, p. 13.

<sup>67</sup> United Nations General Assembly, *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*, 2005.

<sup>68</sup> United Nations. Security Council, *Small Arms. Report of the Secretary-General (S/2008/258)*, 2008, 10; United Nations General Assembly, *The Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/62/163)*, 2007, pp. 18-20.

<sup>69</sup> United Nations. Security Council, *Small Arms. Report of the Secretary-General (S/2008/258)*, 2008, p. 10; United Nations General Assembly, *The Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/62/163)*, 2007, p. 8.

<sup>70</sup> United Nations General Assembly, *Report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2008, p. 11.

implemented. Wider adoption of such legislation would substantially limit the ability of illicit brokers to operate across borders and to take advantage of the grey areas in legal enforcement that make their operations possible.<sup>71</sup>

This lack of a legal regime allows arms brokers engaged in the illicit traffic of SALW to exploit legal loopholes and falsify important documents such as passports or end-user certificates, allowing arms brokers to facilitate violations of UN Arms embargoes and supply arms to areas of conflict. One method that can be considered to form a key line of defense against the diversion of SALW by illicit brokers is end-user certificates. However, by themselves, they risk being counterfeited or distributed by unscrupulous officials. In order to be effective, end-user certificates must be part an international framework for authentication, reconciliation and standardization of end-user certificates that also includes authentication and post-shipment controls in order to verify that arms are shipped to the intended customer and to prevent diversion.<sup>72</sup>

### ***Capacity Building***

Improving the capacity of developing countries to implement the POA is an important step towards effective SALW control. The results of a global survey administered by the UN Institute for Disarmament Research (UNIDIR) in 2006 demonstrates that the most commonly stated priority for Member States is for capacity building for the implementation of the SALW POA, particularly among African states.<sup>73</sup> Between 2001 and 2005, donors provided \$660 million to support the implementation of the POA in 94 states, focusing assistance mainly on programs for the disarmament, demobilization and reintegration of ex-combatants and the destruction of illicit small arms.<sup>74</sup> While this may sound like a substantial amount of funding, it amounts to just over one US dollar in assistance for every arm in circulation.<sup>75</sup> As a comparison, \$400 million was spent on demining activities alone in 2004.<sup>76</sup>

### ***Case Study: Small Arms and Light Weapons in West Africa***

West Africa has been devastated by SALW, which are among the key tools used to foment violence in the region and have “escalated the intensity and impact of intra-state armed conflicts in West Africa.”<sup>77</sup> In 2006, the West Africa Action Network on Small Arms estimated that there were 8 million SALW transiting through the sub-region.<sup>78</sup> These weapons facilitated the crimes committed during civil wars that are estimated to have led to the deaths of 50,000 people, 30,000 limb amputations, and 2150,000 to 257,000 victims of sexual violence in Sierra Leone alone.<sup>79</sup>

It has been estimated that the cost of armed conflict to Africa is \$18 billion per year, not including the costs of armed violence or other intangibles.<sup>80</sup> In addition, it is abundantly clear that most of the weapons and ammunition used in conflict in Africa do not originate in Africa. Trade data from the UN in 2005 revealed that 99 percent of SALW and 98 percent of ammunition came from outside Africa. Most of the illicit arms used in Africa have their origin in China, Israel and at least twenty countries of the Organization for Security and Cooperation in Europe.<sup>81</sup>

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<sup>71</sup> United Nations General Assembly, *Report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2008, p. 11.

<sup>72</sup> Anders, Cattaneo, Vines, Wood, et al., *Developing a Mechanism to Prevent Illicit Brokering in Small Arms and Light Weapons*, 2007, p. xxvi.

<sup>73</sup> Maze and Parker, *International Assistance for Implementing the Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: Findings of a Global Survey*, 2006, p. 22.

<sup>74</sup> Anders, *UN Process on Small Arms: All is not lost*, 2007.

<sup>75</sup> Maze and Parker, *International Assistance for Implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2006, p. 11.

<sup>76</sup> Maze and Parker, *International Assistance for Implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, 2006, p. 29.

<sup>77</sup> Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 69.; Keili, *Small Arms and Light Weapons Transfer in West Africa*, 2008, p. 4.

<sup>78</sup> Ndiaye, *Special Comment*, 2008, p. 3.

<sup>79</sup> Keili, *Small Arms and Light Weapons Transfer in West Africa*, 2008, p. 9.

<sup>80</sup> Oxfam International, *Africa's Missing Billions: International Arms Flows and the Cost of Conflict*, 2007, p. 11.

<sup>81</sup> Schroeder and Lamb, *The Illicit Arms Trade in Africa: A Global Enterprise*, 2006, pp. 70-71.

During the 1990s, brokers and transport agents were flooding conflict zones in Africa with SALW; to genocide forces in Rwanda, rebel groups in Angola and Sierra Leone and the repressive regime of Charles Taylor in Liberia often in defiance of UN Security council arms embargos.<sup>82</sup> West Africa, a region rich in natural resources such as oil, diamonds, and timber, offered a lucrative market for those willing to break arms embargoes, because the illicit trafficking in SALW “is inextricably linked with resource wars” and the illegal incomes gained from selling conflict resources outweighed the cost of breaking the embargo and could be used to buy more arms.<sup>83</sup>

Since 2000, African countries have responded to the flood of arms and violence by establishing a number of processes and institutions to address the problem and to implement the SALW POA at the regional level. In 2000, the Organization of African Unity, the predecessor to the African Union, developed the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation, and Trafficking of Small Arms and Light Weapons leading up to negotiations at the 2001 SALW Conference.<sup>84</sup>

In addition, sub-regional organizations have taken the fight against SALW one step further by developing legally binding agreements within the structures of the regional economic communities such as the Economic Community of West African States (ECOWAS) or the Southern African Development Community (SADC). In West Africa, ECOWAS reacted to the upheaval and conflict of the 1990s by developing a politically binding Declaration of a Moratorium on the Importation, Exportation, and Manufacture of Small Arms and Light Weapons in 1998. Institutional structures were also developed to assist member states in implementing and enforcing the moratorium. While the moratorium was a worthy goal, one observer noted that “the first-of-its-kind experiment is by any measure an utter failure, with small arms delivered into the region, circulating within it, and even locally produced, all in complete disregard of the policy.”<sup>85</sup>

Recognizing the shortcomings of the politically binding moratorium, the ECOWAS member states agreed to a legally-binding Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials in 2006. States party to the convention are allowed to request exemptions for legitimate defense needs and for peace operations, but they are also to discourage civilian possession and otherwise ban the import and export of weapons to their territory.<sup>86</sup> With support from the United Nations Development Program, ECOWAS has established the ECOWAS Small Arms Control Program and a Small Arms Unit in order to build the capacities of national governments to enforce the convention once it enters into force.<sup>87</sup> It remains to be seen how effective the ECOWAS Convention will be in comparison with the 1998 Moratorium. The Convention requires nine countries to ratify it before it enters into force. As of the end of 2008, the Convention had been ratified by seven countries and it is expected to go into force by the end of 2009.<sup>88</sup>

West Africa is not alone in its attempt to deal with the problems of SALW at the sub-regional level. Southern Africa has also found success establishing an institutional framework for the control of SALW, becoming the first in Africa to have a legally-binding instrument on SALW, the Protocol on the Control of Firearms, Ammunition and other Related Materials in the Southern African Development Community (SADC) Region.<sup>89</sup> Known as the SADC Firearms Protocol, it was adopted by SADC Member States during the heads of state and government meeting in Blantyre, Malawi in 2001.<sup>90</sup>

Mozambique, which played a key role in developing the SADC Firearms Protocol, is an example of a state that has benefited from the coordination facilitated by the SADC Firearms Protocol, through an innovative joint programme with South Africa called Operations Rachel, which has led to the “collection and destruction of 46,902 SALW and

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<sup>82</sup> Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 72.

<sup>83</sup> Keili, *Small Arms and Light Weapons Transfer in West Africa*, 2008, p. 10.; Stohl, *Fighting the Illicit Trafficking of Small Arms*, 2005, p. 64.; Misol, *Small Arms and Conflict in West Africa*, 2004.

<sup>84</sup> Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 77.

<sup>85</sup> Naim, *Illicit: How Smugglers, Traffickers, and Copycats are Hijacking the Global Economy*, 2005, p. 63.

<sup>86</sup> Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 77.

<sup>87</sup> Agnekethom, *Political and Institutional Dynamics of the Control of Small Arms and Light Weapons in West Africa*, 2008, 14.; UNDP, *Securing Development: UNDP's Support for Addressing Small Arms Issues*, 2005, p. 34.

<sup>88</sup> Ndiaye, *Special Comment*, 2008, p. 4.

<sup>89</sup> Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 78.

<sup>90</sup> SADC, *Protocol on the Control of Firearms, Ammunition and other Related Materials in the Southern African Development Community (SADC) Region*, 2001.

24,493,565 rounds of ammunition on Mozambican soil.”<sup>91</sup>

### ***The Arms Trade Treaty***

As the previous section shows, a large proportion of high intensity conflicts taking place in the world right now are being fought in Africa, but with weapons that do not originate in Africa. One of the major proposed solutions to this problem is an Arms Trade Treaty (ATT). An ATT would be important because it would link international humanitarian law and human rights law to transfers of SALW and other conventional arms.<sup>92</sup>

As noted earlier, the lack of international standards for arms transfers has allowed for illicit brokers and transport agents to take advantage of legal loopholes to ship arms to zones of conflict, where they are then often used to commit massive human rights abuses. While national and international codes of conduct for arms transfers that take human rights into account are already in existence, evidence has shown that the rules are broadly written in way that encourages interpretation and continue to allow for the sale of arms to countries that are violating human rights.<sup>93</sup> The solution that many NGOs and governments have proposed is an ATT.

This idea was endorsed by the UN in 2006 when the General Assembly requested the Secretary-General to establish a GGE to assess the feasibility of establishing a comprehensive, legally binding instrument establishing common international standards for the import, export, and transfer of conventional arms.<sup>94</sup> The resolution received 153 votes in favor of starting the process and strong support has come from Africa, the region most affected by irresponsible transfers of conventional arms, with forty-two African countries voting in favor of GA resolution 61/89 and twenty-one making positive submissions of their view of an ATT to the Secretary-General in 2007.<sup>95</sup>

Currently, discussion of an ATT is taking place in the Open-ended Working Group towards an Arms Trade Treaty: establishing common international standards for the import, export and transfer of conventional arms (OEWG), which was established by a GA resolution in January 2009.<sup>96</sup> This group will hold a series of meetings that began in 2009 and will continue through 2009. As one observer stated however, “countries appear to agree more on the general concept than any specific provisions.”<sup>97</sup> How this will affect the final outcome of the ATT process will be seen in 2010, when the meetings of the OEWG are completed.

### ***Conclusion***

The new administration of President Barack Obama in the United States ushered in what seems to be a new era of international cooperation on nuclear non-proliferation and disarmament issues, with the Security Council unanimously adopting a landmark resolution endorsing nuclear disarmament on September 24, 2009.<sup>98</sup> However, the question remains, will the international community find the political will to tackle the tremendous challenges that illicit conventional arms sales are presenting to so many developing countries around the world? The continued flow of SALW to zones of conflict raises important questions that must be answered by the international community. Delegates preparing for conference should consider these questions: Which Member States are major suppliers and producers of conventional arms? Which Member States are the largest importers of conventional arms? What role do national governments, regional organizations, and international organizations play in regulating arms transfers? How should the international community proceed with regulating illicit brokering? How can the international community best provide assistance to developing countries that need it in stopping the flow of illicit

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<sup>91</sup> UNODA, *Southern African Development Community (SADC)*, (n.d.); Lamb and Dye, *African Solutions to an International Problem: Arms Control and Disarmament in Africa*, 2009, p. 78.

<sup>92</sup> Goldring, *Will President Obama Meet the Challenge to Control the Conventional Arms Trade?*, 2009.; Da Silva, *Creating a Human Rights Standard for the Arms Trade Treaty*, 2009, pp. 30-32.

<sup>93</sup> Yanik, *Guns and Human Rights: Major Powers, Global Arms Transfers, and Human Rights Violations*, 2006, p. 360.

<sup>94</sup> United Nations General Assembly, *Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms (A/RES/61/89)*, 2006.

<sup>95</sup> Oxfam International, *Africa's Missing Billions: International Arms Flows and the Cost of Conflict*, 2007, p. 23.

<sup>96</sup> Goldring, *Will President Obama Meet the Challenge to Control the Conventional Arms Trade?*, 2009.

<sup>97</sup> Goldring, *Will President Obama Meet the Challenge to Control the Conventional Arms Trade?*, 2009.

<sup>98</sup> United Nations Security Council, *Historic Summit of Security Council Pledges Support for Progress on Stalled Efforts to End Nuclear Weapons Proliferation (SC/9746)*, 2009.

arms? How should national governments reconcile Article 51 of the Charter recognizing the legitimate right of self-defense with regulating conventional arms transfers? What can be done to make instruments such as the UN Register of Conventional Arms more effective or the International Instrument on Tracing more effective?

### **Must Reads**

Control Arms Campaign. (2006). *Arms Without Borders: Why a Globalized Trade Needs Global Controls*. Retrieved July 27, 2009 from <http://www.controlarms.org/en/documents%20and%20files/reports/english-reports/arms-without-borders>.

*This very comprehensive document, authored by a coalition of NGOs advocating for greater restrictions on arms transfers, makes a strong case for an Arms Trade Treaty by highlighting many of the shortcomings in the current system. The report discusses how the globalization of the arms trade combined with lax enforcement of national laws, regional codes of conduct, and UN arms embargoes have allowed illicit arms sales to thrive, contributing to massive human rights abuses around the world. The only solution, the report says, is to develop robust international standards for arms transfers, grounded in the existing principles of international law. This report does an excellent job showing the role that NGOs can play in advocating certain positions on conventional arms issues.*

Graduate Institute of International Studies. (2008). *Small Arms Survey*. New York: Cambridge UP. *The main focus of this chapter summary from the forthcoming edition of the Small Arms Survey explains the role that diversion plays in the problem of illicit arms proliferation. It explains the differences between National and Civilian stockpiles of weapons and the unique challenges that they present to Member States. In addition, it gives a useful diagram of the kinds of regulatory frameworks that work best to prevent diversion of arms, something that delegates will find useful during negotiations when they are developing their proposals.*

Stohl, R. (2005). Fighting the Illicit Trafficking of Small Arms. *SAIS Review*, XXI(1), 59-68. *This article gives delegates a very comprehensive overview and strategy of what is needed to effectively fight illicit trafficking of SALW. Explaining in detail how arms can be diverted from licit to illicit markets, the author discusses some of the ways in which arms are transported in violations of arms embargoes and how they are connected to the illicit trade in natural resources. The author argues that the most important way to prevent illicit trafficking would be to enforce UN Security Council arms embargos.*

United Nations Development Programme. (2005). *Securing Development: UNDP's Support for Addressing Small Arms Issues*. Retrieved August 21, 2009 from [http://www.undp.org/cpr/documents/sa\\_control/securing\\_development.pdf](http://www.undp.org/cpr/documents/sa_control/securing_development.pdf). *This report authored by the UNDP is an essential read for delegates, giving an excellent overview of their support for SALW activities worldwide through the Bureau for Crisis Prevention and Recovery. The report details the support provided by the UNDP to Member States and Regional Organizations for capacity building, armed violence prevention and reduction, as well as Disarmament, Demobilization and Reintegration. In addition, Delegates should read this report to gain a better understanding of how violence affects the pursuit of the Millennium Development Goals.*

United Nations General Assembly. (2001). *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15)*. Retrieved July 20, 2009 from <http://www.poa-iss.org/PoA/poahtml.aspx>. *This is one of the most important UN documents concerning SALW and all delegates should have a good understanding of what it says and does not say about the issue. It is the politically binding outcome document from the UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects, held in 2001 in New York. The POA contains recommendations of actions for states to take at the national, regional and global levels on issues such national points of contact,*

*illicit brokering, and tracing. The POA does not deal with transfers of SALW to non-state actors and has no recommendations on civilian use of SALW.*

## II. The Control of Conflict Minerals

*“Natural resources are never the only cause of conflict; and an abundance of natural resources does not make conflict inevitable. But in low-income countries where state institutions are weak and governance poor; where poverty and inequality are high, the economy under-performing and vulnerable due to over-reliance on a few commodities; and where there is a large supply of readily-available arms – in this volatile mix, natural resources can provide the spark to start violent conflict, or provide the fuel to keep war going.”<sup>99</sup>*

### Introduction

A conflict mineral is a mineral that is extracted from land in or around a conflict zone, and where management of, control of, or profit derived from its extraction had an impact on the conflict’s creation or continuation.<sup>100</sup> Conflict minerals were brought to international public attention in the Western world by the release of the heavily-promoted 2006 American motion picture “Blood Diamond,” but in addition to jewelry, these minerals provide components for consumer goods “from light bulbs to laptops, from MP3 players to Playstations.”<sup>101</sup> The profitability of minerals has led to the pursuit of control of resource-rich territory for centuries; once controlled, the extraction and sale of these minerals have been used in various countries to fund the activities of parties to a conflict.<sup>102</sup> Africa has been the epicenter of resource-related conflict, with the United Nations Security Council in recent years placing sanctions on diamonds and oil from Angola and Sierra Leone; diamonds and timber in Liberia; and diamonds in Cote D’Ivoire.<sup>103</sup> While awareness of the relationship between conflict and the diamond trade in particular has led to the creation of the Kimberley process, an international effort to certify diamond origin, other resources in the largely unregulated mining sectors of developing economies remain able to perpetuate conflict worldwide.<sup>104</sup> The current conflict most obviously related to the minerals industries occurs in the Democratic Republic of the Congo (DRC), the deadliest conflict worldwide since the end of the Second World War.<sup>105</sup> In the DRC, the “warring parties, [... spurred on by] the lure of eastern Congo’s mineral riches [...] have carried out the most horrific human rights abuses, including widespread killings of unarmed civilians, rape, torture and looting, recruitment of child soldiers [...] and forced displacement of hundreds of thousands.”<sup>106</sup> An estimated 45,000 die per month in the DRC, making it both the most severe death toll of any mineral-related conflict in the world and a case study used broadly for conflict minerals.<sup>107</sup>

### Conflict Minerals

Conflict minerals are loosely defined as “natural resources whose systematic exploitation and trade in a context of conflict contribute to, benefit from or result in the commission of serious violations of human rights, violations of international humanitarian law or violations amounting to crimes under international law.”<sup>108</sup> In the absence of an internationally agreed legal definition this definition of the analogous term “conflict resources” will be used for this document. The definition was proposed not only to give consistency in usage of the term, but also to distinguish

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<sup>99</sup> Le Roux, *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*, 2004.

<sup>100</sup> Global Witness, *Definition of Conflict Resources*, n.d.

<sup>101</sup> Dias, *First Blood Diamonds, Now Blood Computers?*, 2009;

See also: Prendergast, *Can you Hear Congo Now? Cell Phones, Conflict Minerals, and the Worst Sexual Violence in the World*, 2009.

<sup>102</sup> Global Witness, *Home*, n.d.

<sup>103</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>104</sup> Kimberly Process, *Homepage*, n.d.

See also: Global Witness, *Home*, n.d.

<sup>105</sup> Brennan, *Inside Congo, An Unspeakable Toll*, 2006;

See also: Bavier, *Congo War-Driven Crisis Kills 45,000 a Month-Study*, 2008.

<sup>106</sup> Global Witness, “*Faced with a Gun, What can you do?*” *War and the Militarization of Mining in Eastern Congo*, 2009.

<sup>107</sup> Bavier, *Congo War-Driven Crisis Kills 45,000 a Month-Study*, 2008.

<sup>108</sup> Global Witness, *Definition of Conflict Resources*, n.d.

conflict minerals as a term from minerals used “legitimately [...] to pay the costs of conflict” by warring parties.<sup>109</sup> There are other definitions of conflict minerals proposed that are primarily scholarly in origin, such as that provided by Bannon and Collier, as “natural resources whose control, exploitation, trade, taxation or protection contribute to, or benefit from the context of, armed conflict.”<sup>110</sup>

The primary resources identified in modern usage as conflict minerals include diamonds, gold, timber, and the “three Ts”; these three minerals are coltan or columbite-tantalite from which tantalum is derived, the tungsten source wolframite, and tin ore, also known as cassiterite.<sup>111</sup> While other resources may warrant discussion, or may pose large enough pitfalls to warrant separate consideration, the aforementioned resources may be viewed together in terms of both how much they impact conflict and the manner in which they have that impact.

Diamond exploitation has been well-documented in other sources, most primarily in Sierra Leone. The Kimberley process has been a comprehensive attempt to certify diamond origin for ease of consumer and distributor rejection of conflict diamonds. Gold exploitation occurred primarily in West Africa as well, and with both diamonds and timber aided in the conflicts in Liberia and Sierra Leone.<sup>112</sup> Conflict timber is “timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration, involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain.”<sup>113</sup> Timber exploitation played a large role in the Liberian conflict in the early 2000s.<sup>114</sup>

Coltan is the African slang term for columbite-tantalite or tantalum ore.<sup>115</sup> Used in electronic devices because of its ability to withstand rust and heat, tantalum is used in audio devices, such as cellular telephones, as well as larger devices, such as airplane engines.<sup>116</sup> In 2000, a shortage of coltan increased prices to over four times the 2009 prices of coltan, which never exceeded 75 USD per pound, and created increased opportunities for profit.<sup>117</sup> While the primary suppliers of coltan are Australia and Canada, coltan mining does occur in Ethiopia, Mozambique and the DRC.<sup>118</sup> In Ethiopia and especially the DRC, the 2000 shortage led to increased exploitation in the informal and conflict economies.<sup>119</sup> However, despite attempts by electronics manufacturers and metal companies to avoid Congolese tantalum in particular, the absence of a clear certification process and the lack of assistance from third-parties in the global economy makes it “impossible to certify” whether tantalum origin is conflict-based or not.<sup>120</sup> In addition, coltan pricing continues to rise due to increased demand for consumer electronics worldwide, which provides greater opportunity for exploitation of even the small coltan extraction opportunities in conflict areas by combatants.<sup>121</sup> In 2001, the United Nations Security Council addressed coltan exploitation in the DRC; responding to a report from the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC calling upon them to place a temporary embargo upon the coltan trade, the Security Council condemned exploitation of the DRC’s resources.<sup>122</sup> The cross-border nature of the conflict’s resource component is highlighted by the fact that the Rwandan army earned over a quarter of a billion US dollars on coltan in the span of a year and a half of the Congolese conflict; coltan is not mined in Rwanda itself at all.<sup>123</sup>

Wolframite is tungsten ore, and is also commonly found in the Eastern Congo border region of Kivu.<sup>124</sup> While the Congolese source of wolframite ranks low on the scale in a market dominated by Chinese mining, the Kivu region’s

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<sup>109</sup> Global Witness, *Definition of Conflict Resources*, n.d.

<sup>110</sup> Bannon & Collier, *Natural Resources and Armed Conflict: Options and Actions*, 2003, p. 216.

<sup>111</sup> Prendergast, *Can you Hear Congo Now? Cell Phones, Conflict Minerals, and the Worst Sexual Violence in the World*, 2009; See also: Global Witness, “Faced with a Gun, What can you do?” *War and the Militarization of Mining in Eastern Congo*, 2009.

<sup>112</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>113</sup> Bannon & Collier, *Natural Resources and Armed Conflict: Options and Actions*, n.d., p. 216.

<sup>114</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>115</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>116</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>117</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>118</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>119</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>120</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>121</sup> Ewing, *Congo Fighting Revives Tainted Phone Fears*, 2008.

<sup>122</sup> United Nations Security Council, *Security Council Condemns Illegal Exploitation of Democratic Republic of the Congo’s Natural Resources: Following Day-Long Debate, Presidential Statement Notes Terrible Toll Conflict Is Taking (SC/7057)*, 2001.

<sup>123</sup> United Nations, *What Is Coltan?*, n.d.

<sup>124</sup> Murison, *Africa South of the Sahara*, 2004, p. 274.

proximity to the Congolese conflict allow even a relatively small amount of ore to be used by various factions to continue their own involvement in the violence.<sup>125</sup>

Cassiterite is the most common ore that tin is derived from worldwide, and prices for tin have climbed as high as 25,000 USD per ton.<sup>126</sup> This represented a fivefold increase compared to ten years ago. Tin's most common use is in solders for electronic devices, though it is also used in alloys and in tin cans.<sup>127</sup> The DRC is "awash" with cassiterite, among other minerals.<sup>128</sup> In Eastern Congo, the 2002 discovery of cassiterite at Bisie created a rush for control of the mountainous region.<sup>129</sup> Bisie is among the largest sources of cassiterite in the world, with an estimated 800,000 kilograms of cassiterite per month being extracted.<sup>130</sup> It accounts for over three-quarters of the cassiterite production in the Eastern Congo region where the conflict is centered.<sup>131</sup>

### ***Correlation Between Natural Resource Wealth And Conflict And the Creation and Perpetuation of Conflict***

While it may seem that countries naturally endowed with more natural resources would be most likely to benefit in economically and, by association, stability and prosperity, in fact the opposite is more prevalent worldwide; it has been noted that the likelihood of violent conflict is proportional to the dependence of the economy on extraction.<sup>132</sup> In Africa, the problem may even be more severe; not only is a resource-rich African country more prone to conflict, but "conflicts tend to last longer in these countries" than conflicts in countries that are not as resource-rich.<sup>133</sup> Conflict is more often centered in lesser-developed countries: from 1993-2003, fifteen of the twenty least developed countries in the world had civil wars.<sup>134</sup> The World Bank is among numerous analysts that have noted linkage between the prevalence of resources and the likelihood of conflict, and "that the presence of natural resources contribute directly and indirectly to risk of conflict."<sup>135</sup> It is unclear if a universal causal link can be established between these factors, or the related issues of corruption and conflicting parties' links to outside organized crime or terrorist groups; it does seem clear that whatever the cause, the direct contributions of each of these factors to each other and to the likelihood of conflicts beginning or continuing creates a self-perpetuating cycle.<sup>136</sup> There are limitations to the proposition that conflict and natural resources are inextricably linked and immune to outside pressures.<sup>137</sup> For example, Sierra Leone has been cited as an example of an overly-simplistic analysis that ignores the fact that "conflict economies are embedded in a complex web of regional social, economic, political, and military networks that profoundly impact the behavior of conflict actors."<sup>138</sup> In fact, relying too heavily upon such analyses may have negative consequences for post-conflict economic reconstruction and development.<sup>139</sup>

The fact that a conflict is mineral-related may also influence neighboring regions and States; sometimes the outbreak of a conflict in a neighboring state can influence struggles for resources that destabilize otherwise placid countries.<sup>140</sup> Additionally, States outside the region can be affected; the ban on poppy production in Afghanistan in the early 2000s led to a shortage that was filled by increased production of poppy in Burma.<sup>141</sup> Since the aforementioned 'resource curse' leads to economic inequity in society, and inequity leads to conflict, mineral riches have a causal link to the circumstances most conducive to conflict.<sup>142</sup> Economic agendas in war are

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<sup>125</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>126</sup> Polgreen, *The Spoils – Congo's Riches, Looted by Renegade Troops*, 2008, p. 2.

<sup>127</sup> Global Witness, "Faced with a Gun, What can you do?" *War and the Militarization of Mining in Eastern Congo*, 2009.

<sup>128</sup> Watt, *Mining for Minerals Fuels Congo Conflict*, 2008.

<sup>129</sup> Polgreen, *The Spoils – Congo's Riches, Looted by Renegade Troops*, 2008, p.3.

<sup>130</sup> Global Witness, "Faced with a Gun, What can you do?" *War and the Militarization of Mining in Eastern Congo*, 2009.

<sup>131</sup> Global Witness, *Bisie Killings Show Minerals at the Heart of Congo Conflict*, 2009.

<sup>132</sup> Le Roux, *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*, 2004.

<sup>133</sup> Le Roux, *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*, 2004.

<sup>134</sup> Lind & Sturman, *Scarcity and Surfeit: The Ecology of Africa's Conflicts*, 2003.

<sup>135</sup> Le Roux, *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*, 2004.

<sup>136</sup> Le Roux, *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*, 2004, pp. 5-6.

<sup>137</sup> Ross, *Natural Resources and Civil War: An Overview*, 2003.

<sup>138</sup> Studdard, *War Economies in a Regional Context: Overcoming the Challenges of Transformation*, 2004, p.10.

<sup>139</sup> Studdard, *War Economies in a Regional Context: Overcoming the Challenges of Transformation*, 2004, pp. 10-11.

<sup>140</sup> Studdard, *War Economies in a Regional Context: Overcoming the Challenges of Transformation*, 2004.

<sup>141</sup> Studdard, *War Economies in a Regional Context: Overcoming the Challenges of Transformation*, 2004.

<sup>142</sup> Pugh & Cooper, *War Economies in a Regional Context: Challenges of Transformation*, 2001.

being driven by the need to rearm and supply parties to a conflict, extending existing conflicts beyond their counterparts in less resource-rich areas – for that mineral riches in a conflict zone play an essential role.<sup>143</sup>

### ***International Frameworks***

There are no international conventions or protocols on the overall issue of conflict minerals, but there has been action taken on specific minerals, such as diamonds and coltan within the Security Council, the General Assembly, and other international and regional bodies; together, these specific actions provide a loose framework that guides international action on this issue.

In 2005, during the World Summit on Conflict Prevention the Security Council (SC) unanimously passed resolution (S/RES/1625) on Strengthening the Effectiveness of the Security Council's Role in Conflict Prevention, Particularly in Africa, which recognized the link between natural resources and conflicts. It "reaffirms [the SC's] determination to take action against illegal exploitation and trafficking of natural resources and high-value commodities in areas where it contributes to the outbreak, escalation or continuation of armed conflict."<sup>144</sup> This resolution laid the groundwork for subsequent Council action in conflict prevention, specifically in Africa.<sup>145</sup> In 2007, the Security Council held a debate on the link between natural resources and conflict, which not only reaffirmed resolution 1625, but also the Council's commitment to staying involved in the issue.<sup>146</sup>

The Security Council established committees and groups of experts, imposed commodity sanctions, and authorized some peacekeeping troops to "monitor and implement" sanctions regimes.<sup>147</sup> The Security Council is given the authority, under Article 41, Chapter VII, of the UN Charter, to "restrictions on economic relations...with targeted countries or groups to maintain or restore international peace and security."<sup>148</sup> Sanctions have been imposed on oil and diamonds in Angola and Sierra Leone; diamonds and timber in Liberia; and diamonds in Cote d'Ivoire.<sup>149</sup> The only sanctions that remain in force are those in Cote d'Ivoire, due to improvements in all other conflicts that significant enough to warrant the lifting of restrictions.<sup>150</sup> Targeted sanctions are increasingly being viewed as the best choice to deal with this issue, despite strong opposition by some SC Members.<sup>151</sup>

The UN took action on conflict diamonds first in 1998 through Security Council resolution (S/RES/1173) against the National Union for the Independence of Angola (UNITA) in the form of sanctions on imports of diamonds. This led the General Assembly to adopt the first resolution explicitly on the role of diamonds in fueling conflict, (A/RES/55/56) in 2000.<sup>152</sup> This resolution sparked discussions, which led to the creation of the Kimberley Process Certification Scheme (KPCS) in 2002.<sup>153</sup> According to the members of the KPCS, it has become an "effective" mechanism preventing the trade of conflict diamonds and serves as a model conflict-prevention instrument.<sup>154</sup>

However, the NGO community, including Ian Smilie, one of KPCS' architects, argue that the process is "seriously flawed" due to its lack of transparency and independent monitoring efforts.<sup>155</sup> The process has also been criticized for its Secretariat choosing to meet with government officials and not seek out an 'independent' perspective on the diamond mining industry in Zimbabwe.<sup>156</sup>

The Protocol Against the Illegal Exploitation of Natural Resources serves as the main example of a regional mechanism addressing this issue. Signed November 30, 2006 by the Heads of State and Government of the Members of the International Conference on the Great Lakes Region, which was organized under the auspices of the United Nations and African Union, the document highlights natural resources as, if not a cause, a main aggravator of

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<sup>143</sup> Pugh & Cooper, *War Economies in a Regional Context: Challenges of Transformation*, 2001.

<sup>144</sup> United Nations Security Council, *Strengthening the Effectiveness of the Security Council's Role in Conflict Prevention, Particularly in Africa (S/RES/1625)*, 2005.

<sup>145</sup> Security Council Report, *Update Report: Conflict Prevention and Resolution in Africa*, 2007.

<sup>146</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>147</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>148</sup> Bannon & Collier, *Natural Resources and Armed Conflict: Options and Actions*, 2003.

<sup>149</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>150</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>151</sup> Security Council Report, *Update Report No. 2: Natural Resources and Conflict*, 2007.

<sup>152</sup> United Nations, *Conflict Diamonds: Sanctions & War*, 2001.

<sup>153</sup> Kimberley Process, *Background*, n.d.

<sup>154</sup> Kimberley Process, *Background*, n.d.

<sup>155</sup> Kimberley Process, *Background*, n.d.;

See also: York, *The Failing Battle Against Blood Diamonds*, 2009.

<sup>156</sup> Deibert, *Zimbabwe: More Calls to Ban Blood Diamonds*, 2009.

conflict in the region.<sup>157</sup> The objective of the Protocol is to develop effective mechanisms, which will “prevent, curb and eradicate the illegal exploitation of natural resources,” expand cooperation in order to develop sustainable measures to combat it; and promote consistency between Member States’ domestic legal frameworks.<sup>158</sup>

### ***The Extractive Industry***

Resource extraction has in itself been identified as a source of conflict in many areas of the world.<sup>159</sup> The operations of oil, mining, and logging companies often cause tension within communities, particularly within indigenous populations, which can lead to violence.<sup>160</sup> Causes of this tension include the confiscation of land from the local community and environmental problems ranging from rendering the water supply to be undrinkable to “destroying arable land and clear-cutting forests.”<sup>161</sup> The extractive industry’s presence is accompanied by the creation or exacerbation of social and economic inequality through an influx of outside workers, and the lack of tangible economic benefits being seen within the local community.<sup>162</sup> Oftentimes any objection to the actions of the company is “met with severe government repression,” effectively allowing operations to continue their harmful, disruptive practices until they have exhausted the natural resource or they are met with resistance.<sup>163</sup>

In order to provide a measure of accountability over the extraction of natural resources, several initiatives have been created, for example the Extractive Industries Transparency Initiative (EITI), the Voluntary Principles on Security and Human Rights (VPs), the Environmental and Social Standards, and the Global Compact. EITI establishes management mechanism aimed at “monitoring and reconciling company payments and government revenues at a country level” to prevent their misuse and likelihood to trigger conflict.<sup>164</sup> Due to the fact that EITI is one of few accountability mechanisms, albeit voluntary, for the extractive industry, there has been a big focus by other civil society actors to strengthen EITI and ensure it evolves into a mechanism that truly holds the industry accountable. Suggestions range from mainstreaming EITI globally while ensuring its implementation with technical, financial and diplomatic support.<sup>165</sup> Candidate countries should be validated yearly, whether they are making progress while including all relevant stakeholders.<sup>166</sup> The GA took note of EITI in its resolution entitled Strengthening transparency in industries (A/RES/62/274), which takes particular note of the importance of voluntary initiatives, specifically EITI, and extractive industries to “ensure transparency and verifiable processes, while adhering to and promoting the principles of honesty, transparency and accountability in order to maximize the contribution of the private sector to the realization of social and people-centered sustainable development.”<sup>167</sup>

The Voluntary Principles on Security and Human Rights, developed in 2000 by the Governments of the United States of America, the United Kingdom, the Netherlands and Norway, companies from the extractive and energy sectors, and NGOs developed these principles as a way to promote the “importance of promoting and protecting human rights throughout the world and the constructive role business and civil society can play in advancing these goals.”<sup>168</sup> Besides some gaps, they are seen as a credible and legitimate layer of accountability for extractive companies.<sup>169</sup> Similar to the Principles, but aimed at environmental and social issues, the Environmental and Social Standards, launched in 2006 by the World Bank’s International Finance Corporation, require participants to carry out security risk assessments and analysis of a “project’s potential to cause or exacerbate conflict.”<sup>170</sup>

Finally, the United Nations Global Compact, is a voluntary initiative for businesses committing themselves to ten principles regarding human rights, labor, environment and anti-corruption.<sup>171</sup>

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<sup>157</sup> International Conference on the Great Lakes Region, *Protocol Against the Illegal Exploitation of Natural Resources*, 2006.

<sup>158</sup> International Conference on the Great Lakes Region, *Protocol Against the Illegal Exploitation of Natural Resources*, 2006.

<sup>159</sup> Renner, *The Anatomy of Resource Wars*, 2002, p.39.

<sup>160</sup> Renner, *The Anatomy of Resource Wars*, 2002, p.39.

<sup>161</sup> Renner, *The Anatomy of Resource Wars*, 2002, p.40.

<sup>162</sup> Renner, *The Anatomy of Resource Wars*, 2002, p.40.

<sup>163</sup> Renner, *The Anatomy of Resource Wars*, 2002, p.40.

<sup>164</sup> Extractive Industries Transparency Initiative, *EITI Fact Sheet*, 2009, p.1.

<sup>165</sup> Global Witness, *Home*, n.d.

<sup>166</sup> Global Witness, *Home*, n.d.

<sup>167</sup> United Nations General Assembly, *Strengthening Transparency in Industries (A/RES/62/274)*, 2008.

<sup>168</sup> Voluntary Principles on Security and Human Rights, *Five-Year Overview of the Voluntary Principles on Security and Human Rights*, 2005.

<sup>169</sup> Voluntary Principles on Security and Human Rights, *Five-Year Overview of the Voluntary Principles on Security and Human Rights*, 2005.

<sup>170</sup> International Finance Corporation, *Environmental and Social Standards*, n.d.

<sup>171</sup> United Nations Global Compact, *Homepage*, n.d.

## ***Protecting the Rights of Indigenous Populations at Risk for Exploitation or Conflict***

Due to the fact that the indigenous populations often live on resource-rich land, the relationship between the extractive industry and indigenous people is crucial and often tense, as corporate exploitation of resources has led to the destruction of livelihoods, human rights violations and degradation of ecosystems.<sup>172</sup> According to the United Nations, “this situation has fuelled conflicts between Indigenous Peoples and the State and extractive industry corporations, as well as causing divisions within the Indigenous communities themselves.”<sup>173</sup> In May 1996, the Indigenous Peoples’ Declaration on Mining was adopted by civil society organizations and other attendees to articulate the need for indigenous peoples to be able to make decisions on whether or not mining should occur and also to highlight “hot spots where high profile conflicts” have occurred.<sup>174</sup> As a follow-up, the International Conference on Extractive Industries and Indigenous Peoples was held in 2009.<sup>175</sup> Outcomes of the conference were the creation of a global network on Indigenous Peoples and extractive industries for sharing experiences; the adoption of the Manila Declaration – a list of over 100 suggested actions to be taken – asserting indigenous peoples’ rights over their land and the use of it in order to preserve, protect and promote their ways of life.<sup>176</sup> Further, it underscored the need to strengthen provisions in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and provide suggestions for how the international community could address the issue, particularly through the Permanent Forum on Indigenous Issues, which held an expert meeting soon after on “Extractive Industries, Indigenous Peoples’ rights and corporate social responsibility.”<sup>177</sup> The result of both these conferences is a long list of actions to be taken by the international community, corporations, Member States, and indigenous groups. The next step needs to be identifying priorities in order to prevent further conflict from occurring within these communities.

### ***Case Study: Bougainville Conflict***

The conflict that occurred on Bougainville, one of the islands that makes up Papua New Guinea (PNG), from 1988-1998 provides an example of the role the extractive industry, in this case a copper mining company – Rio Tinto Zinc (RTZ).<sup>178</sup> While being under Australian administration, the PNG granted a mining exploration license to RTZ in 1963, while in 1972 operations expanded to build the world’s largest open pit copper mine, under the management of Bougainville Copper Ltd (BCL), with the Papua New Guinea government as a minority shareholder, and RTZ as its parent company, started production in 1972.<sup>179</sup> The residents of Bougainville came into conflict with the company almost immediately. Due to the fact that under the PNG Independence Constitution, mineral rights belonged to the State, landowners were not entitled to any royalties or profits.<sup>180</sup> The situation deteriorated further once communities found that they could not continue their traditional way of life owed in part massive environmental damage to marine life, in addition to agricultural crops and a loss of “tranquility because of the noise from the continuous blasting operations.”<sup>181</sup> These environmental and social issues were only further exacerbated by the inequity in distribution of the profits made from the copper mine.<sup>182</sup> In its 17 years of operation, roughly 2% of the total profits was distributed to landowners, with the vast majority going to the Government of PNG, which

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<sup>172</sup> Indigenous Peoples’ International Centre for Policy Research and Education, *Concept Paper: International Conference on Indigenous People and Extractive Industries*, 2009, p.1.

<sup>173</sup> United Nations Permanent Forum on Indigenous Issues, *Report of the International Expert Group Meeting on Extractive Industries, Indigenous Peoples’ Rights and Corporate Social Responsibility (E/C.19/2009/CRP.8)*, 4 May 2009, p.26.

<sup>174</sup> Indigenous Peoples’ International Centre for Policy Research and Education, *Concept Paper: International Conference on Indigenous People and Extractive Industries*, 2009, p.1.

<sup>175</sup> United Nations Permanent Forum on Indigenous Issues, *Report of the International Expert Group Meeting on Extractive Industries, Indigenous Peoples’ Rights and Corporate Social Responsibility (E/C.19/2009/CRP.8)*, 4 May 2009, p.4.

<sup>176</sup> United Nations Permanent Forum on Indigenous Issues, *Report of the International Expert Group Meeting on Extractive Industries, Indigenous Peoples’ Rights and Corporate Social Responsibility (E/C.19/2009/CRP.8)*, 4 May 2009, p.23.

<sup>177</sup> United Nations Permanent Forum on Indigenous Issues, *Report of the International Expert Group Meeting on Extractive Industries, Indigenous Peoples’ Rights and Corporate Social Responsibility (E/C.19/2009/CRP.8)*, 4 May 2009, p.4.

<sup>178</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>179</sup> Government of Australia, *Origins of the Bougainville Conflict*, n.d.

<sup>180</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.

<sup>181</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 5.

<sup>182</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 5.

was not seen as a rightful recipient of profits from the mine.<sup>183</sup> A final cause for the eventual eruption of conflict was tensions between native Bougainvilleans and workers brought in from the mainland of PNG who were seen as rivals for jobs, often were paid higher wages, and formed “squatter settlements” on traditionally owned land and encouraged criminal activity and poor behavior.<sup>184</sup>

In 1987, a group of Bougainvilleans demanded compensations for the mine’s impact, which were rejected, sparking a campaign by Panguna Landowners Association, and a newly formed Bougainville Revolutionary Army (BRA).<sup>185</sup> In November 1988, the BRA was successfully halted mining operations by setting off explosives.<sup>186</sup> Civil unrest and violence occurred throughout the following year, culminating with a naval blockade imposed by the Government of PNG to prevent supplies from getting to Bougainville in May 1990.<sup>187</sup> This blockade caused a severe humanitarian crisis, during which civil society organizations were barred from working causing their eventual withdrawal.<sup>188</sup> That same month a unilateral declaration of independence was proclaimed by the Bougainville Interim Government.<sup>189</sup>

Fracture in support for the BRA amongst many Bougainvilleans, for reasons ranging from ideological differences to abuses committed by members of the BRA, led to the formation of the Bougainville Liberation Force (BLF) which was supported by the PNG Defense Force (PNGDF). These three groups, BRA, BLF, and PNGDF were the main participants in open combat throughout the conflict.<sup>190</sup> The violence that occurred throughout the civil war, and the humanitarian crisis that occurred as a result of it, fluctuated in intensity but lasted from 1989 to 1998.<sup>191</sup> The conflict is estimated to have caused between 15,000 and 20,000 deaths.<sup>192</sup>

The conflict eventually gave way to the signing of the Burmham Truce in 1997 and the eventual implementation of the Bougainville Peace Agreement signed on August 30, 2001.<sup>193</sup> The Peace Agreement lays out a plan for “greater self-government and eventually a referendum on independence, within 10 to 15 years.”<sup>194</sup> The United Nations Political Office in Bougainville (UNPOB) was established in the period before the Agreement was signed to observe the truce and collect weapons.<sup>195</sup> The UN Observer Mission in Bougainville (UNOMB) was established on January 1, 2004 as a follow-up mission that would “facilitate a smooth transition in the lead up to the election of an autonomous government in Bougainville.”<sup>196</sup> The last years have been calm and the current President held talks to bring the main conflict parties together.<sup>197</sup> He began his term by placing the issue of the Panguna mine at the top of his agenda, recognizing the fact that landowners feuding as a result of mining activity caused the conflict, and if not addressed could spark additional violence, stating “I do not want to see another round of conflict again that will cost many lives.”<sup>198</sup> In recent months, President Tanis has also made efforts to distance himself from a mining deal struck by his predecessor, which granted the Australian mining company Invincible Resources rights to over 70% of Bougainville’s natural resources. The reconciliation process the President hopes to bring about is aimed at preventing further conflict in the future. However, multiple viewpoints exist in the region and many residents do not feel it is appropriate to begin reconciliation yet, seeking instead economic compensation for the tremendous loss that occurred during the civil war.<sup>199</sup>

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<sup>183</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.

<sup>184</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 6.

<sup>185</sup> O’Callaghan, *PNG-Bougainville: The Origins of the Conflict*, 2002.

<sup>186</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 7.

<sup>187</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 8.

<sup>188</sup> O’Callaghan, *PNG-Bougainville: The Origins of the Conflict*, 2002.

<sup>189</sup> United Nations, Economic and Social Council, Commission on Human Rights, *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, 1996, p. 9.

<sup>190</sup> Reddy, *Reconciliation in Bougainville: Civil War, Peacekeeping and Restorative Justice*, 2008, p.119.

<sup>191</sup> Reddy, *Reconciliation in Bougainville: Civil War, Peacekeeping and Restorative Justice*, 2008, p.119.

<sup>192</sup> Reddy, *Reconciliation in Bougainville: Civil War, Peacekeeping and Restorative Justice*, 2008, p.119.

<sup>193</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>194</sup> BBC, *PNG Island Vote Tests Peace Deal*, 2005

<sup>195</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>196</sup> GTZ, *Bougainville / Papua New Guinea*, n.d.

<sup>197</sup> The National, *At Last, BCL Listens*, 2009.

<sup>198</sup> AAP, *New President Brings Panguna Together*, 2009.

<sup>199</sup> The National, *At Last, BCL Listens*, 2009.

## **Conclusion**

The presence of minerals and the ensuing primary extraction economy in a region or State leads to economic and political challenges for the government and people in the area. The economic inequity often caused as part of the “resource curse” leads to political instability, and thus resource-rich areas are more prone to conflict than areas without such raw material deposits. Once a violent conflict has begun, the ability of parties to the conflict to exploit resources leads to the perpetuation of conflict. Numerous endeavors to block conflict minerals from entering the global markets have been attempted, but the case study of the Kimberley process highlights the challenges to such endeavors. The situation in Bougainville, as well as the diamond, gold and timber industries’ involvement in West African conflicts earlier this decade and the interplay between the ongoing conflict in the Democratic Republic of the Congo and the coltan, wolframite and cassiterite trades, highlight the cyclical relationship between conflict, exploitation, and economic dependence on primary resources. Delegates are advised to be mindful of this relationship when attempting to solve the issue on a general or thematic basis, a regional or conflict-specific approach, or when attempting to isolate specific minerals and resources to focus upon. Delegates should also consider their State’s reliance upon primary resources and their own economies’ role in the perpetuation of the trade in conflict minerals and by association the perpetuation of conflicts centered around them.

## **Must Reads**

Global Policy Forum. (n.d.) *The Dark Side of Natural Resources*. Retrieved September 30, 2009, from: <http://www.globalpolicy.org/security-council/dark-side-of-natural-resources.html>  
*This source is maintained by the Global Policy Forum, and is a general overview of the relation between resources and conflict. It also contains a listing of key documents related to the issue, from NGO reports to UN resolutions in response to specific conflicts and resources. Delegates will find this source useful as an introductory source to understanding the issue from multiple perspectives.*

Global Witness. (n.d.) *Home*. Retrieved September 24, 2009, from: <http://www.globalwitness.org/index.php>  
*Global Witness is an international non-governmental organization, which works to identify and raise awareness in order to prevent natural resource-related conflict and corruption. Their Web site provides an overview of the organization’s work through interactive media, publications and links. The Web site is a valuable source on a multitude of issues surrounding natural resources and conflict.*

Security Council Report. (2007). *Update Report No. 2: Natural Resources and Conflict*. Retrieved September 25, 2009, from: [http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2822787/k.CEE6/Update\\_Report\\_No\\_2BRNatural\\_Resources\\_and\\_ConflictBR20\\_June\\_2007.htm](http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.2822787/k.CEE6/Update_Report_No_2BRNatural_Resources_and_ConflictBR20_June_2007.htm)  
*In their second update report on Natural Resources and Conflict, Security Council Report provides invaluable insight into the Security Council’s work on this topic. Beyond a summary of what action is anticipated to be taken by the Council, there is a list of key issues and additional resources. This resource is crucial for delegates due to its solid foundation in previous work of the UN and comprehensive nature.*

Ross, M. (2003). *Natural Resources and Civil War: An Overview*. UCLA Department of Political Science. Retrieved October 9, 2009, from: [http://www.unepfi.org/fileadmin/documents/conflict/ross\\_2003.pdf](http://www.unepfi.org/fileadmin/documents/conflict/ross_2003.pdf)  
*This source is an academic paper created for submittal to the World Bank Research Observer. Focusing on civil war in particular, the author isolates four specific ties between resources and causes of conflict: weakening a state’s economy; weakening a state’s government, primarily through corruption; financing rebels; and creating incentives for resource-rich areas to seek independence. This source will also be helpful in illuminating the link between resource dependence and poverty.*

Le Roux, H. (2004). *Evidence and Analysis: The Role of Natural Resources in Fuelling and Funding Conflict in Africa*. Retrieved October 9, 2009, from: [http://www.commissionforafrica.org/english/report/background/leroux\\_background.pdf](http://www.commissionforafrica.org/english/report/background/leroux_background.pdf)  
*This source is another academic paper written to analyze the way resources affect conflict creation and perpetuation. The source focuses exclusively on Africa, however, and thus tailors its analysis and its recommendations solely to that continent. Delegates will find this document useful for philosophical perspective on the resource-conflict correlation and for thoughtful recommendations on solutions going forward.*

### III. Privatization of War: Employing and Arming Independent Militias

*“And it has always been the opinion and judgment of wise men that nothing can be so uncertain or unstable as fame or power not founded on its own strength. And one’s own forces are those which are composed either of subjects, citizens, or dependants; all others are mercenaries....”<sup>200</sup>*

#### **Introduction**

Employing the use of a private military for security is not something unique to the 21<sup>st</sup> (or even 20th) Century. The Chinese, Greeks, and Romans all employed mercenaries to assume a handful of their security affairs.<sup>201</sup> Additionally, Italian city states of the 14<sup>th</sup> century hired what they called *condottieri* to ensure their safety.<sup>202</sup> Moreover, during the American War for Independence, the United Kingdom (UK) hired around 30,000 Hessian soldiers so they did not have to conscript their own citizens to help the UK during the friction.<sup>203</sup>

Despite a decline in the use of private militaries during the 19<sup>th</sup> century, the 1960’s saw the rise of independence movements, mostly in Africa, that would evolve into conflict areas over the years, thus re-emerging the business of private military companies (PMC).<sup>204</sup> The inability of weak governments to handle internal strife, due to lack of military infrastructure and/or military overthrow, saw the rise of PMC once again to help in these conflict areas. Since United Nations (UN) Member States, with the military capability, saw little to no reason for assistance due to lack of vested interest in the area (namely in Africa), the role of peacekeeper was left to those in the private sector, but now the world is wary of their role.<sup>205</sup> Some have said these PMCs are merely “guns for hire” and serve as no more than mercenaries hired to kill with no oversight or accountability.<sup>206</sup> Also, when a Member State is subdued to such internal strife that the need for PMC assistance is paramount (because no one else will), states grant immunity—through national legislation—to these companies, thus making them *only* accountable to their employer and no one else.<sup>207</sup>

#### **Private Militaries**

Private militaries, also known as PMCs or Private Security Companies (PSCs), are business organizations that trade in professional services intricately linked to warfare.<sup>208</sup> Even though the use of private militaries is not new to the global arena, they began to sprout in 1993 in Angola.<sup>209</sup> Executive Order (EO), a South African PMC, was contracted and hired to capture Soya, an area with a plethora of oil reserves in Angola.<sup>210</sup> PMCs, just like EO, are hired to provide military expertise to areas of conflict. They provide training in weapons, intelligence gathering, military operations, and work side by side with their client - the State - to help their military stand on its own.<sup>211</sup>

<sup>200</sup> Machiavelli, *The Prince*, 1952, p. 21.

<sup>201</sup> Shearer, *Outsourcing War*, 1998, p. 13.

<sup>202</sup> Shearer, *Outsourcing War*, 1998, p. 13.

<sup>203</sup> Shearer, *Outsourcing War*, 1998, p. 13.

<sup>204</sup> Singer, *Corporate Warriors*, 2003, p. 37.

<sup>205</sup> Shearer, *Outsourcing War*, 1998, p. 70.

<sup>206</sup> United Nations Working Group on Mercenaries, *Private security companies lack oversight and regulation*, 2007.

<sup>207</sup> United Nations Working Group on Mercenaries, *Private security companies lack oversight and regulation*, 2007.

<sup>208</sup> Singer, *Corporate Warriors*, 2003, p. 8.

<sup>209</sup> Singer, *Corporate Warriors*, 2003, p. 9.

<sup>210</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 14.

<sup>211</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 14.

They also can go into direct conflict alongside their client under strict guidelines that sees such a deployment come within their client's chain of command.<sup>212</sup> Within a business perspective, a PMC offers a business to their client -the State- and is hired through the government to train their army or, as the case with EO and Soya, to handle a situation their military is not able to take care of. Since they fall under the category of a corporation, PMCs have adopted such business practices as distributing promotional literature, a vetting system for their staff, and a mission statement—or doctrine—usually in the form of company policy or culture, and a board of directors which is accountable to their shareholders.<sup>213</sup> There also exist private security companies, which on the surface may seem the same as a PMC, but there exist differences.

While both PSCs and PMCs are permitted to carry guns, are often employed to conflict zones, have established corporate structures, and are founded mostly by former soldiers, there are main differences. A PSC and PMC do not engage in the same type of services. PSCs generally deal with prevention and public order. They partake in activities ranging from countering fraud, risk assessment in suspect areas, or even just advisory roles.<sup>214</sup>

PSCs do not engage in direct conflict independent of a State, meaning a PSC would not be hired to recapture Soya in Angola the way EO did. A PSC would rather be hired by a private company with oil fields and work with said company to gain them back. They also take on a more sophisticated role in utilizing technology and military type resources to fulfill the contractual agreement to their client.<sup>215</sup>

PMCs and PSCs, on the surface, appear to perform the same functions and employ the same kind personnel - former military or civilian security employees. PMCs and PSCs both have corporate umbrellas in which they function under and have bylaws within their infrastructure to reprimand one of their own. However, a PSC is more inclined to work directly with the government of a State as opposed to a PMC, which could work closely with the government, but is more hired to practice in direct conflict zones and offering services that could render them as mercenaries. A PSC utilizes more technology and sophisticated mechanisms to carry out their tasks, whereas a PMC can/will go into raw conflict in order to carry out the contractual obligations. Either way, these entities are viewed as “mercenaries” or simply contracted government workers with a simple task (such as advising how to gather intelligence). Whether the view is negative or positive, the labor for these corporations is not cheap, and governments are getting hundreds of private contractors to carry out such tasks. Which begs the question: why employ them?

### ***Why Private?***

Three factors played into the reemergence of using PMCs around the world. First, there was the end of the Cold War. With no more balances of power in the international arena, certain locations turned into hot conflict zones quickly after the fall of the Soviet Union. Second, the transformation of warfare caused the line between civilian and combatant to be blurred, and the general trend across the world went to privatizing and outsourcing government functions to private entities.<sup>216</sup> With this emergence came cost. For example, from 2003-2007 the Congressional Budget Office estimated that the United States obligated between \$3 billion and \$4 billion to acquire security services from PSCs.<sup>217</sup> Additionally, in Iraq, the Congressional Budget Office estimated that \$4 billion dollars for reconstruction efforts went to hiring private security contractors.<sup>218</sup>

Though they are costly to employ, these companies still have the ability to find work. An important catalyst for this is the developed world's decline in external support to weak States.<sup>219</sup> In addition, after the Cold War, foreign assistance to places such as Africa dramatically declined.<sup>220</sup> This left States with internal strife and the need of assistance, thus giving them no other choice than to look for other means of support, such as private companies.

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<sup>212</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 14.

<sup>213</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 14.

<sup>214</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 15.

<sup>215</sup> Kinsey, *Corporate Soldiers and International Security*, 2006, p. 15.

<sup>216</sup> Singer, *Outsourcing War*, 2005, p. 2.

<sup>217</sup> Elsea, *Private Security Contractors in Iraq: Background, Legal Status and Other Issues*, 2008, p. 11.

<sup>218</sup> Elsea, *Private Security Contractors in Iraq: Background, Legal Status and Other Issues*, 2008, p. 4.

<sup>219</sup> Alabarda, *The Private Military Firms-Historical Evolution and Industry Analysis*, 2007, p. 20.

<sup>220</sup> Global Coalition for Africa, *African Social and Economic Trends, Annual Report 1999/2000*.

And when a State did have its own military, they were ill-equipped, ill-trained, understaffed, and under armed.<sup>221</sup> This overall decay of the state military in weak states presented an opportunity for the PMC to make use of the situation in a conflict country.

Another reason States are inclined to go private with their security obligations is the lack of support from both inter-governmental organizations (IGO) and UN Member States. At the end of the Cold War, there was tremendous optimism about the UN taking over these types of roles; however, operations in Bosnia, Somalia and Rwanda showed the UN's inability to takeover such needs of its Member States.<sup>222</sup> In Bosnia, the United States and North Atlantic Treaty Organization (NATO) acted unilaterally in order to de-escalate the tensions; in Somalia, some argue that the UN's involvement brought about the country turning into failed State; and in Rwanda, the UN received much attention for its lack of intervention to prevent and stop the genocide that took the lives of 800,000+ individuals in 1994. In other words, the inability of the UN to prevent the escalation of conflict in the post-Cold War era made States more inclined to use PMCs.<sup>223</sup>

In an open letter to the UN, a PMC named Sandline International, based out of the United Kingdom, stated the African nations who find themselves in strife should turn to a coalition that will offer them dedicated soldiers of high commissions who can handle the conflict, lead, and train in order to bring stability.<sup>224</sup> However, the UN is a voluntary organization. States are not obligated to send troops from their country into a conflict zone, especially when there is nothing at stake (whether it has security or economic implications).<sup>225</sup> This means the influx of troops that are headed into the conflict zone tend to be second tier soldiers and are then limited by the rules and regulations of the UN per the Memorandum of Understanding (MOU) with the host nation. PMCs tend to employ the best and brightest from militaries all around the world, and come with fewer restrictions (if any), therefore making states more inclined to hire a PMC in order to mitigate conflict.

Since PMCs have the advantage over United Nations peacekeepers to act swiftly, States are enticed to choose PMCs as opposed to waiting for help from IGOs or other Organizations. Despite the shift toward regional cooperation and improved capabilities of the African Union, NATO, Association of South East Asian States (ASEAN), etc., the red tape of bureaucracy takes a backseat to the swift action that can be taken by a PMC. Even with programs such as the African Crisis Response Initiative - now known as the African Contingency Operations Training and Assistance (ACOTA) – which sought to train and equip African militaries to conduct peace support operations, the end result was a failed program because of institutional problems due to regulations they must abide by.<sup>226</sup> Although there have been setbacks by regional organizations and IGOs, there has been action taken by the UN in the past, and they are attempting to address the issue currently.

### ***United Nations' and International Approach***

The United Nations has been involved in the issue of mercenaries, which directly entails the use of PMCs, since 1989.<sup>227</sup> In that year, the UN took a step to identify what they believed to be a mercenary. According to the language of A/RES/44/34, a mercenary is anyone who is specially recruited (from home or abroad) to fight in an armed conflict; not a citizen of the state involved in the armed conflict, but partaking in the combat; and is motivated, in full or in part, by private gain due to the conflict.<sup>228</sup> These three clauses are vital because it puts a PMC in the category of a mercenary, and essentially puts that PMC in violation of the resolution, thus being at risk in facing repercussions from the UN. This resolution was not entered into force until 2001, but even after the

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<sup>221</sup> Elsea, *Private Security Contractors in Iraq: Background, Legal Status and Other Issues*, 2008, p. 22.

<sup>222</sup> Singer, *Corporate Warriors*, 2003, p. 59.

<sup>223</sup> Singer, *Corporate Warriors*, 2003, p. 59.

<sup>224</sup> Mbogo, *Mercenaries? No, PMCs*, p. 10.

<sup>225</sup> Singer, *Corporate Warriors*, 2003, p. 59.

<sup>226</sup> Singer, *Corporate Warriors*, 2003, p. 63.

<sup>227</sup> United Nations General Assembly, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, 1989.

<sup>228</sup> United Nations General Assembly, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, 1989.

ratification, the world has seen the rise of PMCs with private militaries being present in every region of the world.<sup>229</sup> As it stands now, 32 state parties to the resolution, along with 10 signatory states, have yet to ratify the document.<sup>230</sup>

In 2005, a working group was brought into existence by Human Rights Council resolution 7/21 which ordains the group to cooperate with states, IGOs, and any relevant sector that could provide information regarding mercenary involvement in human rights violations.<sup>231</sup> The group is called the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and their mandate is to evaluate the use of mercenaries around the world and analyze their cooperation in abiding by humanitarian law and human rights. In a statement by Alexander Ivanovich Nikitin, President of the Working Group, he observed that the turnover in revenue exceeded US\$100 billion for PMCs, and PMCs now operate in every region of the world.<sup>232</sup> Additionally, as of March 2009, the Working Group is firm in encouraging States to abide by the 1989 resolution (A/RES/44/34) in order to speed the process of ratification.<sup>233</sup> Most importantly, the Working Group finds it vital to promote and eventually proceed with, an international convention on the regulation of the private military and security. The aim, according to the group, is to ensure the better protection of human rights and to aid in preventing violations which tend to arise from the hiring of PMCs and PSCs.<sup>234</sup> But promoting and going through with an international convention is not the only item the group has been working on. The group also made visits to both the United Kingdom and United States in order to assess PMCs.

As a major client of PMCs, the Working Group found it promising that the United States seeks to also have more regulation of PMCs and PSCs.<sup>235</sup> At the conclusion of the visit, the group was grateful that the US was willing to open its doors to allow them to investigate, but also found that due to classified documents, the US lacked transparency in allowing the proper oversight to ensure incidents involving PMCs would be rightfully tried. Also, due to classified information regarding PMCs and their actual contracts, the Working Group was discouraged that these security contractors are out of the realm of public scrutiny.<sup>236</sup> The group recommended more transparency so that it could lead to better accountability for PMCs by way of state legislation to prosecute. Similarly, when the group visited the United Kingdom in 2008, they deemed it necessary for better internal prosecution of PMCs who violate regulations under UK law. Additionally, for the UK, the group recommended that they undertake a new comprehensive inquiry into the status of six PMCs operating out of the UK. The groups further recommended to line their legislation with the 2002 Green Report in order to, as stated before, better prosecute and regulate violations by PMCs.

IGOs, NGOs, and PMCs themselves have also taken part in the regulation of PMCs and their actions. The Organization for African Unity (OAU), for example, developed and passed legislation on the definition of a mercenary, acts of a mercenary, and prosecution of a mercenary.<sup>237</sup> The guidelines from the text promote capital punishment for any person convicted of engaging in the acts of a mercenary.<sup>238</sup> Outside of Africa, the Commonwealth of Independent States (CIS) adopted measures to hinder the uprising of mercenary activity. An integral part of the agreement reads: “[states] shall be required by law to report the circumstances and nature of such acts or activities to the competent authorities of the State that issued the license for its activities.”<sup>239</sup> The CIS proposes, explicitly, the acts taken out by a PMC shall be reported and prosecuted by law in order to hold them accountable. Also, the International Red Cross has promoted a document, the Montreux Document, to ensure

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<sup>229</sup> Nikitin, *Oral statement by Mr. Alexander Ivanovich Nikitin*, 2009.

<sup>230</sup> Nikitin, *Oral statement by Mr. Alexander Ivanovich Nikitin*, 2009.

<sup>231</sup> Human Rights Council, *Mandate of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*, 2008.

<sup>232</sup> Nikitin, *Oral statement by Mr. Alexander Ivanovich Nikitin*, 2009.

<sup>233</sup> Nikitin, *Oral statement by Mr. Alexander Ivanovich Nikitin*, 2009.

<sup>234</sup> Nikitin, *Oral statement by Mr. Alexander Ivanovich Nikitin*, 2009.

<sup>235</sup> UN Experts Visit United States to Discuss use of Private Military and Security Contractors, 2009.

<sup>236</sup> *UN Human Rights experts encouraged by US Government efforts to increase oversight and accountability over private security contractors but concerned by gaps in access to effective remedy for victims of human rights violations* (Press Release), 2009.

<sup>237</sup> OAU, *Convention on the Elimination of Mercenarism in Africa*, 1977.

<sup>238</sup> OAU, *Convention on the Elimination of Mercenarism in Africa*, 1977.

<sup>239</sup> Commonwealth of Independent States, *On Counteracting Mercenaries*, 2005.

regulation of PMCs and states that employs PMCs.<sup>240</sup> One of their initiatives is to strengthen civil legislation and/or make sure civil legislation is already strong enough of a Member State, because the legal infrastructure needs to ensure it is conducive to international human rights and humanitarian law.<sup>241</sup> And again, accountability is the reason they promote a strong legal core in order to make sure that if a PMC does violate any type of law, they will be responsible to their actions. The British Association of Private Security Companies (BAPSC), in the spirit of the Montreux Doctrine, understands not all states have the strongest civil legislation, but since they understand this, part of their charter dictates that since some states do not have adequate legal framework, UK PMCs *must* abide by all international legislation regarding human rights and humanitarian law (similar to what most IGOs want anyway).<sup>242</sup> The UK has now taken two steps in regulating the actions of PMCs: the Green Report, and the BAPSC.<sup>243</sup>

The UN, IGOs, and NGOs seek transparency between PMCs and States. This will allow for easier prosecution should any PMC violate any human rights or internal laws. But enforcement is the issue as well as sovereignty because of the company's origin of business. The international convention would be a significant step forward in evaluating the progress the UN has made already, and the progress the UN can make for the future.

### *Executive Outcomes and Blackwater*

While there are a number of different PMC and PSCs in the international arena, two case studies will be closely looked at in order to grasp a better understanding: Executive Outcomes, based out of South Africa; and Blackwater, which was based out of the United States. These two serve as a great starting point because they have had a significant impact in their respective times of utilization. Executive Outcomes will be studied first. In particular, Executive Outcomes work in Soyo will be evaluated, and Blackwater's work in Iraq will also be looked at.

Executive Outcomes was formed in Pretoria, South Africa in 1989.<sup>244</sup> With the fall of the Apartheid regime, General Eeben Barlow founded Executive Outcomes and hired exiled ex-South African Defence Force (SADF) personnel who had no place in post-Apartheid South Africa.<sup>245</sup> Barlow was 2<sup>nd</sup> in command when the SADF was deployed to help the UNITA in the 1980's.<sup>246</sup> Again, this was not the first PMC in the world, but its actions in Angola would be a critical point for PMCs and their capability.

With a force of around 80 men, EO captured Soyo and the oil installations from the National Union for the Total Independence of Angola (UNITA) quickly.<sup>247</sup> At first, EO was not public about this capture; but upon EO's public taking of responsibility for taking Soyo, the region was amazed the Angolan Government worked alongside EO considering it was an opponent of mercenary activities such as these.<sup>248</sup> Soyo was integral for EO because it showed the capacity in which a PMC could operate and be effective. Not only did EO swiftly recover the oil resources and facilities, upon their exit, UNITA retook the facilities and put the Angolan Government in another tough spot to try and retake the facilities again.<sup>249</sup> After UNITA retook the facilities, EO was offered a \$40 million dollar one year contract to help train the Angolan State Army to become competent enough to fight on its own against the armed rebels.<sup>250</sup> EO was once again able to retake the key assets in Angola alongside the Angolan State troops. Upon their defeat, UNITA struck a peace accord: the Lusaka Protocol.<sup>251</sup> In the protocol, the text explicitly stated: "Repatriation of all mercenaries in Angola."<sup>252</sup> This meant the end of EO's presence in Angola. For EO, Soyo would prove to be the catalyst for missions in Indonesia, Sierra Leone, and many lucrative contracts with multi-

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<sup>240</sup> United Nations General Assembly & Security Council, *Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict*, 2008.

<sup>241</sup> United Nations General Assembly & Security Council, *Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict*, 2008.

<sup>242</sup> British Association of Private Security Companies, *Charter of the British Association of Private Security Companies*, 2008.

<sup>243</sup> British Association of Private Security Companies, *Charter of the British Association of Private Security Companies*, 2008.

<sup>244</sup> GlobalSecurity.org, *Executive Outcomes*, 2005.

<sup>245</sup> Drohan, *Making a Killing*, 2003, p. 205.

<sup>246</sup> Drohan, *Making a Killing*, 2003, p. 206.

<sup>247</sup> Drohan, *Making a Killing*, 2003, p. 205.

<sup>248</sup> Singer, *Corporate Soldiers*, 2003, p. 108.

<sup>249</sup> Singer, *Corporate Soldiers*, 2003, p. 109.

<sup>250</sup> Singer, *Corporate Soldiers*, 2003, p. 109.

<sup>251</sup> GlobalSecurity.org, *Executive Outcomes*, 2005.

<sup>252</sup> Lusaka Protocol, 1994.

national corporations.<sup>253</sup> It proved the success a PMC can have in a conflict zone, and their success was shown when in their exit, the forces they pushed out easily came back in to retake what was captured by EO. EO went into dissolution in 1999 stating: “African countries are busy working out solutions in Africa...Let’s give them a chance.”<sup>254</sup> EO would be the model of a PMC in the 1990s; however, in the 2000’s, the rise of the US PMC Blackwater would make a compelling impact on PMC action around the world.

Blackwater USA began operation in Iraq in 2004.<sup>255</sup> Founded by Erik Prince, Blackwater USA was a PMC that based its training and recruitment out of the USA. Erik Prince got the contract in 2003, and it was a multi-million dollar no-bid contract from the US State Department.<sup>256</sup> Two incidents make the Blackwater involvement in Iraq significant: the March 31, 2004 ambush in Fallujah; and the September 16, 2007 Nisour Square shootings in Baghdad.

On March 31, 2004, two convoys with American PMC guards were ambushed in Fallujah.<sup>257</sup> The guards were traveling as security for a catering company and were to secure the vehicles to pickup kitchen equipment for a US military base. Upon entrance, the guards embraced fire from machine guns and grenades and were killed almost immediately. Once the massacre began, the Blackwater guards were killed by Iraqi insurgents.<sup>258</sup> Hundreds of people gathered to ravage the dead bodies of the Americans.<sup>259</sup> Their vehicles were burned, and the bodies were ripped from the trucks they drove in. Eventually, once their bodies were taken from their vehicles, they were dragged around the city and hung from a bridge and left for ten hours. The bodies were then taken to a municipal building to be left for everyone to see.<sup>260</sup> The guards who were killed had not worked together before, and went into an area they were not fully knowledgeable of. Their other incident involved a reverse of fortune for Blackwater.

On September 16, 2007, a shooting in Nisour Square (Baghdad) “brought to the surface a scalding gusher of animosity toward the private military industry”.<sup>261</sup> The specifics of the start vary on the source. One source may say the Blackwater guards were provoked.<sup>262</sup> Other sources indicate the shooting was unjustified and unwarranted.<sup>263</sup> The most important aspect is to be assessed: seventeen Iraqi’s were killed by PMC guards from Blackwater.<sup>264</sup> The problem is two-fold in this scenario: first, the Coalition Provisional Authority in Iraq made guards immune from being prosecuted under Iraqi law, and even the American legal system makes it difficult to prosecute someone for a crime committed abroad.<sup>265</sup> If the guards were in the wrong, it is extremely difficult, even in the US, to bring them to justice. The Blackwater incidents indicate the need for regulation and oversight. Whether or not the shootings of September ’07 were warranted, prosecuting the guards would be near impossible due to the legal framework of the United States.

## **Conclusion**

PMCs are not new. The UN has begun taking a comprehensive approach to regulating their actions by establishing a working group to look at their human rights compliance; PMCs themselves have begun their own self regulation by establishing such bodies as the BAPSC; IGOs have begun setting regulations against mercenaries (which includes PMCs for the most part) to operate in their respective countries.

The way forward, in light of the developments from the UN, IGOs, and PMCs, is regulation.<sup>266</sup> However, since their success should not be underestimated, how much regulation should be put on PMCs? Perhaps evaluating

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<sup>253</sup> Singer, *Corporate Soldiers*, 2003, p. 110.

<sup>254</sup> Singer, *Corporate Soldiers*, 2003, p. 117.

<sup>255</sup> International Herald Tribune, *Blackwater*, 2009

<sup>256</sup> Scahill, *Blackwater: The Rise of the World’s Most Powerful Mercenary Army*, 2007, p. 101.

<sup>257</sup> Scahill, *Blackwater: The Rise of the World’s Most Powerful Mercenary Army*, 2007, p. 102.

<sup>258</sup> Dobbins, *History of the Coalition Provisional Authority*, 2009, p. 307.

<sup>259</sup> Dobbins, *History of the Coalition Provisional Authority*, 2009, p. 307.

<sup>260</sup> Dobbins, *History of the Coalition Provisional Authority*, 2009, p. 307.

<sup>261</sup> Boot, *Accept the Blackwater Mercenaries*, 2007.

<sup>262</sup> Boot, *Accept the Blackwater Mercenaries*, 2007.

<sup>263</sup> Glanz, *From Errand to Fatal Shot to Hail of Fire to 17 Dead*, 2007.

<sup>264</sup> Risen, *5 Guards Face U.S. Charges in Iraq Deaths*, 2008.

<sup>265</sup> Risen, *5 Guards Face U.S. Charges in Iraq Deaths*, 2008.

<sup>266</sup> RAND, *Leash the Dogs of War*, 2005.

PMCs activity, as opposed to the actors themselves through the 1989 Mercenary Convention, would be a good step forward?<sup>267</sup> What constitutes a PMC, and what constitutes a mercenary army? Delegates should closely look at whether or not PMCs do or do not operate within their country, as either being based in the country or being deployed in their country. How much attention should be put on domestic legislation to counter PMC activity? Should the Montreaux framework be strongly enforced and their guidelines are built upon to begin the regulation process? The questions put forward will not be easy to answer, as it has been illustrated that PMCs can either bring a swift solution to a badly war torn region, such as the case in Africa, but can also abuse their power as the case in Iraq with Blackwater. Surface level analysis of this topic will not suffice. Only a true examination of how a Member State regards PMCs will begin the research process of addressing this topic.

### **Must Reads**

Commission on Human Rights. (2005, April 7). *The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (E/CN.4/RES/2005/2)*. Retrieved January 26, 2010 from [http://ap.ohchr.org/documents/alldocs.aspx?doc\\_id=11060](http://ap.ohchr.org/documents/alldocs.aspx?doc_id=11060)  
*This resolution gave the mandate to create the working group to evaluate mercenaries and human rights violations. The resolution read that the group is able to evaluate any entity relating to the advancement of mercenary armies under the umbrella of the Human Rights Council.*

Kinsey, C. (2006). *Corporate Soldiers and International Security: The Rise of Private Military Companies*. New York City, New York: Routledge.  
*This book is and excellent review of private military companies. Kinsey argues that the way private military firms operate since the 1990's is a new phenomenon. Kinsey also makes the distinction between different types of private military companies (such as private security companies and private military companies).*

United Nations General Assembly & Security Council. (2008, June 6). *Montreux Document on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict (A/63/467-S/2008/636)*. Retrieved October 3, 2009 from [http://www.mfa.gov.hu/NR/rdonlyres/FA7A4BB1-5E7A-4950-BD65-8E2A651C425B/0/Montreux\\_document.pdf](http://www.mfa.gov.hu/NR/rdonlyres/FA7A4BB1-5E7A-4950-BD65-8E2A651C425B/0/Montreux_document.pdf).  
*In 2008, the Security Council, in conjunction with the Swiss Initiative and International Committee of the Red Cross, formulated this document. It is, perhaps, the most comprehensive modern approach to regulating PMCs. It does not simply the use of mercenary armies, but rather looks at the actions of PMCs operating in different countries around the world.*

Singer, P. (2003). *Corporate Warriors: The Rise of the Privatized Military Industry*. Ithaca, New York: Cornell University Press.  
*Singer goes through and analyzes every aspect of a private military. He evaluates how they rose during the 1960's in Africa, how they are internally structured, and what the possible implications could be if they are to be continually used by states in place of a State Army. Singer is a leading authority on PMCs. He has several works in the field and is currently at the Brookings Institute.*

United Nations General Assembly. (1989, December 4). *International Convention against the Recruitment, Use, Financing and Training of Mercenaries (A/Res/44/34)*. Retrieved September 10, 2009, from <http://www.un.org/documents/ga/res/44/a44r034.htm>  
*The 1989 Convention on Mercenaries was the first big step the UN took in order to identify mercenaries. It concluded that should the criteria be met, such as private gain for partaking in conflicts, they are considered a mercenary by UN standards. This resolution set the precedent for the working group that is currently evaluating PMCs today through the Human Rights Council*

## **Annotated Bibliography**

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<sup>267</sup> RAND, *Leash the Dogs of War*, 2005.

## **Committee History**

Childers, E., & Urquhart, B. (1994). *Renewing the United Nations System*. Uppsala, Sweden: Dag Hammarskjöld Foundation.

*The book was written as a response to the failed expectations for a renaissance of the UN after the end of the Cold War. In this context it discusses the complexities of bridging fundamental principles such as the sovereignty of States and the increased need for cooperation. Besides this, the authors discuss an array of shortcomings internal to the UN system, such as the lack of coordination of the high number of organizations with different status and function in the system – a topic which still is a recent and central one today – especially for the GA.*

Ku, M.-C. (1978). *A Comprehensive Handbook of the United Nations (Vol. 1)*. New York: Monarch Press.

*This book contains a significant amount of documents relating to the foundation of the United Nations, its committees, as well as the general functioning of this international body. It provides a strong background on the UN, as well as the General Assembly.*

O'Brien, J. (2001). *International Law*. London: Cavendish Publishing.

*The United Nations are both the result of international law and a significant source of international law governing the relations of States and individuals alike. The General Assembly and its International Law Commission have become significant actors in this field developing major international law treaties that have been later ratified by its Member States. Further, the GA's work can become a source of international law itself through the creation of and adherence to 'soft' customary law.*

Tessitore, J., & Woolfson, S. (2000). *Global Agenda: Issues Before the 55<sup>th</sup> General Assembly of the United Nations*. New York: Rowman & Littlefield Publishers, Inc.

*This book details the issues placed before the 55th General Assembly of the United Nations. The topics are divided into seven sections: Making and Keeping Peace, Arms Control and Disarmament, Development and Trade, Global Resource Management, Social and Humanitarian Issues, Legal Issues and Finance and Administration.*

United Nations. (n.d.). *Declarations and Conventions Contained in GA Resolutions*. Retrieved October 6, 2009 from [http://www.un.org/documents/instruments/docs\\_en.asp](http://www.un.org/documents/instruments/docs_en.asp)

*This section of the United Nations Web site lists key declarations and documents from the General Assembly, by name, date or subject. It is significant, as it is a gateway to major resolutions passed by the General Assembly. The collection offers an overview on the breadth of issues the GA is covering.*

United Nations. General Assembly. (n.d.). *Subsidiary Organs of the General Assembly*. Retrieved from [http://www.un.org/ga/about/subsidiary\\_organs.shtml](http://www.un.org/ga/about/subsidiary_organs.shtml)

*This section of the United Nations website illustrates the subsidiary organs of the General Assembly. It provides a brief list, description of purpose of and links to the subsidiary organs of the General Assembly, which play an enormously important role in the implementation of the UN's policies. Some of the more renowned subsidiaries with connection to the First Committee's mandate are the Human Rights Council and the Disarmament and Peacebuilding Commission.*

United Nations. General Assembly. (1946, January 11). *Second Plenary Meeting*. Retrieved from <http://www.un.org/Depts/dhl/landmark/pdf/a-pv2.pdf>

*This document details the proceedings of the second Plenary meeting of the Assembly, as well as the Presidential address that occurred as the opening of the session. It allows for a deeper understanding of both the subject matter, as well as the structure of a General Assembly Plenary meeting.*

United Nations. General Assembly, 63<sup>rd</sup> Session. (2008, September 19). *Allocation of Agenda*

*Items for the Sixty-Third Session of the General Assembly (A/63/252)*. Retrieved from <http://www.un.org/ga/63/agenda/agenda.shtml>

*This document outlines the agenda items as stated during the second plenary meeting on 19 September 2008. It enables a complete understanding of the breadth of subjects discussed during the sixty-third session, ranging from international peace and security, human rights, justice and international law to development issues. The agenda also provides insight into the plentiful institutional linkages of the GA with organs in the UN system from which it receives reports. The document also contains the agenda items for the First Committee.*

United Nations, General Assembly, 64<sup>th</sup> Session. (2009, June 10). *By Acclamation, General Assembly Elects Veteran Libyan Diplomat to Preside Over its Sixty-Fourth Session*. Retrieved October 7, 2009 from <http://www.un.org/News/Press/docs/2009/ga10831.doc.htm>

*The press release reports on the election of the current presidency of the GA's 64th session. In addition to the President of the GA, the body also elected the chairpersons for the main committees, as well as the 21 Vice-Presidents of the GA, which are selected based on regional groups. For the First Committee, José Luis Cancela of Uruguay will serve as chair with his further bureau members coming from Egypt, the Philippines, Germany and Ukraine.*

Ziring, L., Riggs, R., & Plano, J. (2000). *The United Nations: International Organization and World Politics*. Montreal: Harcourt College Publishers.

*This book addresses many key issues facing the United Nations including: conflict resolution, peacekeeping, humanitarian law, etc. It gives a detailed background of the organization's historical development, as well as an analysis of the UN structure. The book will help delegates understand the challenges between the origin of the UN's structure after the Second World War and the challenges of asymmetric conflicts and development at the beginning of the 21st century.*

## ***I. Illicit Arms Sales***

Abramson, J. (2008). *Arms Trade Treaty Discussion Creeps Forward*. *Arms Control Today*, 38. Retrieved July 20, 2009 from [http://www.armscontrol.org/act/2008\\_12/armstradetreaty\\_progress](http://www.armscontrol.org/act/2008_12/armstradetreaty_progress).

*This article gives delegates an update on progress towards the achievement of an Arms Trade Treaty, which is one of the major initiatives that Member States are currently working on in regards to conventional arms. The article discusses some of the pitfalls in the process and raises the question of how long Member States who favor an ATT will wait for the UN process to play out before looking to establish an ATT outside UN institutions, as was done with the Cluster Munitions Convention. Delegates should consult the Arms Control Association website periodically for further information on conventional arms issues.*

Agnekethom, C. P. (2008). *Political and Institutional Dynamics of the Control of Small Arms and Light Weapons in West Africa*. *Disarmament Forum*, 2008(4), 13-19.

*This article published by UNIDIR is part of a series that discusses the impact of SALW on West Africa and the instruments and institutions that have been put in place to address them. The most important part of this article for delegates to understand is the role that ECOWAS is playing in fighting SALW in the region, as well as its discussion of the potential for disagreement between the ECOWAS Convention on SALW and the proposed ideas for an ATT.*

Anders, H., Cattaneo, S., Vines, A., Wood, B., et al. (2007). *Developing a Mechanism to Prevent Illicit Brokering in Small Arms and Light Weapons*. Geneva: UNIDIR.

*This book published by UNIDIR is an invaluable resource for delegates looking to understand all facets of illicit brokering in-depth. Supported by numerous case studies, documents and data, the book makes the case that even a politically binding agreement on regulating brokering would be a major step forward in preventing the illicit brokering of SALW.*

Anders, H. (2007). *The UN Process on Small Arms: All Is Not Lost*. *Arms Control Today* 37. Retrieved July 20, 2009 from [http://armscontrol.org/act/2007\\_03/Anders](http://armscontrol.org/act/2007_03/Anders).

*This article, published by Arms Control Today, discusses the global affects of the SALW trade and updates delegates on the status of UN activities on SALW as of 2007. Some of the most contentious issues holding up progress are discussed, including controversies over supplying arms to non-state actors, and limitations on civilian possession of firearms. The article also gives an overview of select UN instruments related to SALW and discusses the positive and negative roles certain states have played in the negotiations to strengthen the existing UN instruments or create new ones.*

Da Silva, C. (2009). Creating a Human Rights Standard for the Arms Trade Treaty. *Disarmament Forum*, 2009(2), 27-35.

*This article published by UNIDIR makes lays out the case for establishing a human rights standard for an ATT. Delegates should have an understanding of the different elements of international human rights and humanitarian law that would form the basis of the human rights standard. The author emphasizes that an ATT would be enforced at the national level based on the international framework. The author notes that the actions taken by states under an ATT are similar to procedures that already exist in the Convention Against Torture and the European Convention of Human Rights.*

Goldring, N. (2009). Will President Obama Meet the Challenge to Control the Conventional Arms Trade? *Disarmament Diplomacy*, 90. Retrieved July 20, 2009 from

<http://www.acronym.org.uk/dd/dd90/90ng.htm>.

*This article gives delegates an overview of some of the actions taken recently to bring the conventional arms trade under control. Specifically, it the progress, or lack of it, that has been made in implementing the POA since 2001. The author explains in detail why the 3rd Biennial Meeting of States was more successful than previous meetings, and gives a preview of potential benefits to the Obama administration's approach to SALW and also disadvantages. Finally, the author notes that if progress is to be made, significant input and sustain advocacy by civil society will be vital.*

Graduate Institute for International Affairs. (2001). *Fuelling the Flames: Brokers and Transport Agents in the Illicit Arms Trade. Small Arms Survey 2001*. Retrieved July 27, 2009 from [http://www.smallarmssurvey.org/files/sas/publications/year\\_b\\_pdf/2001/2001SASCh3\\_full\\_en.pdf](http://www.smallarmssurvey.org/files/sas/publications/year_b_pdf/2001/2001SASCh3_full_en.pdf).

*This chapter from the 2001 Small Arms Survey helps delegates to understand in detail the role that illicit brokering plays in facilitating illicit arms sales. The author notes that illicit brokers are able to take advantage of legal loopholes, or a complete lack of regulation at the national level, as well as a lack of cooperation at the international level in monitoring and regulating arms brokering. To help illustrate the damage that illicit brokering is able to facilitate in conflict zones, the author includes two detailed case studies based on African conflicts.*

Graduate Institute of International Studies, Geneva. (2006). *Small arms survey 2006: Unfinished business*. New York: Cambridge UP.

*This survey provides delegates with an overview of the arms situation around the world, allowing them to obtain a wider perspective of the problems they need to address. It also highlights those problems which may be occurring in nearby regions and which threaten to spill into the OSCE region in the future.*

Grimmett, R. (2009). *Conventional Arms Transfers to Developing Nations, 2001-2008*. Retrieved September 10, 2009 from <http://www.fas.org/sgp/crs/weapons/R40796.pdf>.

*This annual report is published by the Congressional Research Service and gives a global overview of the conventional arms trade. Focusing mostly on major developing country purchasers of arms, and the major suppliers, the report outlines some of the general trends in the arms trade over the reporting period. Delegates should take note of the major suppliers and purchasers of arms and understand what is being sold and what the motivations for the sales are.*

Lamb, G. & Dye, D. (2009). African Solutions to an International Problem: Arms Control and Disarmament in Africa. *Journal of International Affairs*, 62(2), 69-83.

*This article outlines some of the specific challenges that Africa faces from conventional arms and discusses some of the regional instruments and institutions that African countries have developed to address the threat. In particular, report discusses the role that SALW have played in prolonging the conflicts in DRC, Somalia, Darfur, and West Africa. Most significantly, the article documents the leading role that African countries and regional organizations such as ECOWAS have played in addressing SALW issues, even if they have required much external assistance.*

Leff, J. (2008). U.N. Small Arms Process Back on Track. *CDI Defense Monitor*, September/October 2008. Retrieved July 20, 2009 from [http://www.cdi.org/friendlyversion/printversion.cfm?documentID=4346&from\\_page=../program/document.cfm](http://www.cdi.org/friendlyversion/printversion.cfm?documentID=4346&from_page=../program/document.cfm).

*This generally positive article takes an in-depth look at what happened at the 3rd Biennial Meeting of States on the SALW POA and what was accomplished. It notes that the process used by the Chair to run the meeting was more effective than in the past and resulted in a better outcome document. For delegates interested in the US position on SALW negotiations, this article give a general outline of that as well. It notes that new progress was made at the meeting on brokering, tracing and stockpile management, and also that the new Obama administration could bring back positive US involvement in the process.*

Maze, K. & Parker, S. (2006). *International Assistance for Implementing the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*. Retrieved August 19, 2009 from <http://www.unidir.ch/pdf/ouvrages/pdf-1-92-9045-006-B-en.pdf>.

*This report, authored in 2006 under the auspices of the United Nations Institute for Disarmament Research with funding from several EU countries and the US, attempted to take stock of what had been accomplished in the five years since the agreement on the SALW POA, namely, looking at how much funding was being allocated to funding projects supporting the POA and what kind of assistance was being requested by Member States for POA implementation. The report found variations among regions, with most requests for assistance coming from African countries and the most often requested assistance being capacity building.*

Keili, F. L. (2008). Small Arms and Light Weapons Transfer in Africa: A Stock-taking. *Disarmament Forum*, 2008(4), 5-11.

*This article, published by UNIDIR, gives delegates an overview of the SALW situation in West Africa. One of the more important points the article makes is how the illicit trade in natural resources such as diamonds and the illicit trade in SALW are closely linked. The article also explains in detail how weapons arrive in the region and how they circulate among the countries, illustrating to delegates the difficulty of addressing this problem.*

Misol, L. (2004). *Small Arms and Conflict in West Africa*. Retrieved August 19, 2009 from <http://www.hrw.org/en/news/2004/05/20/small-arms-and-conflict-west-africa>.

*This testimony by Human Rights Watch before the US Congressional Human Rights Caucus, should make clear to delegates the extent of the human rights problems caused by SALW in West Africa as well as provide background information on the situation. The author explains how arms can easily be diverted to other uses or disguised when it is being transported illegally or in violation of a UN arms embargo. As the audience is members of the US Congress, the author offers constructive suggestions for US policy in the region.*

Naim, M. (2005). *Illicit: How Smugglers, Traffickers, and Copycats are Hijacking the Global Economy*. New York: Doubleday.

*This book puts illicit arms sales into the larger perspective of the entire illicit economy that has flourished because of globalization. Reading this book will give delegates a good understanding of the relationships between the illicit arms trade and the international drug trade or the trade in conflict minerals. The author makes the case that governments and international organizations are far behind in fighting these problems and argues that better technology, learning from past*



*internationally agreed description of what small arms and light weapons brokering actually is. Delegates should familiarize themselves with this definition, as well as the multi-faceted nature of illicit SALW transfers, in order to gain a comprehensive understanding of the topic at hand.*

United Nations General Assembly. (2005). *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons*. Retrieved July 20, 2009 from [http://www.un.org/events/smallarms2006/pdf/international\\_instrument.pdf](http://www.un.org/events/smallarms2006/pdf/international_instrument.pdf). *This politically binding agreement establishes international guidelines for marking SALW so that they can be easily traced by law enforcement. The Instrument was developed through a similar GGE process as has been followed with the ATT and efforts towards brokering controls. Tracing was addressed at the 3rd Biennial Meeting of States in 2008, where it was agreed that more needed to be done to implement the agreement.*

United Nations General Assembly. (2008). *Problems Arising from the Accumulation of Conventional Ammunition Stockpiles in Surplus (A/63/182)*. Retrieved July 20, 2009 from <http://www.un.org/Docs/journal/asp/ws.asp?m=A/63/182>. *This GGE report to the GA addresses one aspect of the SALW problem that has been getting more attention recently. It labels adequate stockpile management and security as being one of the most important solution to the problem of surplus ammunition. The GGE recommends that guidelines be established for all states to follow and that technical assistance be available to states that need it.*

United Nations General Assembly. (2008). *Report of the Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/BMS/2008/3)*. Retrieved August 19, 2009 from <http://www.poa-iss.org/DocsUpcomingEvents/ENN0846796.pdf>. *The 3<sup>rd</sup> Biennial meeting of States took place in 2008 and was deemed a more successful meeting than all other previous SALW meetings, as is explained in several of the other cited sources in this guide. The outcome document addresses a number of issues, most prominently illicit brokering, improving stockpile management and security, supporting capacity building at the national and regional levels, and making progress on marking and tracing SALW.*

United Nations General Assembly. (2006). *Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms (A/RES/61/89)*. Retrieved July 20, 2009 from <http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/61/89>. *This is a very important resolution that begins the process of the UN consideration of an ATT, which would establish certain international standards for international transfers of conventional arms. The resolution received strong support from many regions of the world. It establishes a consultative process within the UN where member states share their views on the idea of having a treaty, and those views are discussed by a GGE. The ATT process is now at the state of a series of OEWG meetings that will conclude in 2010.*

United Nations Office of Disarmament Affairs. (n.d.). *About Us*. Retrieved August 19, 2009 from [http://www.un.org/disarmament/HomePage/about\\_us/aboutus.shtml](http://www.un.org/disarmament/HomePage/about_us/aboutus.shtml). *The Office of Disarmament Affairs is dedicated to promoting nuclear disarmament, non-proliferation, and increased functionality of the disarmament mechanisms and regimes for all weapons of mass destruction. As a key body within the UN system dedicated to these activities, it is important for delegates to familiarize the exact activities that the ODA undertakes, particularly its relationship with the GA 1<sup>st</sup> Committee. From this webpage, delegates will be able to find links to a wide range of documents relating to disarmament in all its facets.*

United Nations Office of Disarmament Affairs. (n.d.). *Conventional Arms Branch*. Retrieved September 16, 2008, from <http://disarmament.un.org/cab/>. *This page from the UNODA Web Site is useful for delegates in giving an overview of the activities of the Conventional Arms Branch (CAB), which supports the implementation of the UN Programme of Action on SALW. In addition to working with member states on SALW issues, the*

*CAB operates two different initiatives that increase transparency in military matters. They include the UN Register of Conventional Arms and the Standardized Instrument for Reporting Military Expenditures. Both of these are voluntary.*

United Nations Office of Disarmament Affairs. (n.d.). *Southern African Development Community (SADC)*. Retrieved September 8, 2009 from <http://www.poa-iss.org/RegionalOrganizations/9.aspx>.

*This Web site of the UNODA POA Implementation Support System will give delegates a profile of the SADC, a sub-regional organization in Africa. Delegates should consult this Web site frequently as it is a clearinghouse for information on SALW issues. On this website, delegates can find the most recent documents and news arranged thematically.*

United Nations Office of Disarmament Affairs. (n.d.). *The UN Works for Peace and Security*. Retrieved August 19, 2009 from <http://disarmament.un.org/CAB/smallarms/brochure.htm>.  
*This document provides a general overview of what small arms and light weapons are and how they impact populations across the globe. While a bit dated, this is a useful read for delegates who seek an introduction to the topic of small arms and light weapons, especially in highlighting the various UN efforts to address the trade in small arms and light weapons. Delegates can use this information as a starting point for furthering research on the trade in small arms and light weapons and on the various mechanisms that have been drafted by the international community.*

United Nations Security Council. (2008). *Small Arms: Report of the Secretary-General (S/2008/258)*. Retrieved July 27, 2009 from <http://www.un.org/disarmament/convarms/SALW/Docs/SGReportonSmallArms2008.pdf>  
*This report of the Secretary-General is the most recent on SALW and offers a comprehensive overview of all efforts being taken at the global level to fight illicit trafficking of SALW. This is an important document because it explains the issues surrounding SALW, such as the humanitarian impact they have when used in conflict. It also explains the life-cycle of SALW with recommendations for Member States on how to deal with stage from production to stockpile management. Towards the end, it gives a status update on the three main international instruments dealing with SALW and identifies the next steps that need to be taken to continue the fight against trafficking, particularly by tackling the problem of illicit brokering as well as marking and tracing.*

United Nations Security Council. (2009). *Historic Summit of Security Council Pledges Support for Progress on Stalled Efforts to End Nuclear Weapons Proliferation (SC/9746)*. Retrieved September 27, 2009 from <http://www.un.org/News/Press/docs/2009/sc9746.doc.htm>.  
*At the 2009 summit of the Security Council, which was presided over by US President Barack Obama and attended by a large majority of heads of State of the members of the council, the issue of nuclear weapons proliferation was given high priority. The Council adopted resolution 1887 (2009), which was its first major and far-reaching action on nuclear proliferation in over a decade. During the summit, members of the council reiterated the importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the need for Member States to comply with the three main pillars outlined of the treaty.*

United Nations Security Council. (2008). *Threat Posed to International Security by Uncontrolled Trade in Small Arms Cannot be Overemphasized Security Council Told As It Holds Day-Long Debate on Issue (SC/9316)*. Retrieved September 14, 2009, from <http://www.un.org/News/Press/docs/2008/sc9316.doc.htm>.  
*This is an important press release from the Security Council relating to the debate that was held on all aspects of SALW during April 2008. Delegates may find this useful because of the different country perspectives that are outlined in the speeches. Much of the discussion focused on increasing controls on the use of end-user certificates and developing more robust export controls.*

Reaching Critical Will (n.d.). *What is the General Assembly First Committee?* (n.d). Retrieved

July 27, 2009, from <http://www.reachingcriticalwill.org/political/1com/1comindex1.html>.  
*This backgrounder from the NGO Reaching Critical Will, a project of the Women's International League for Peace and Freedom gives delegates a concise outline of the role played by the First Committee in disarmament and non-proliferation issues. Importantly, the factsheet also outlines some of the challenges faced by the First Committee due to the disagreements and misperceptions that Member States can have when discussing disarmament and international security issues.*

Yanik, L. (2006). Guns and Human Rights: Major Powers, Global Arms Transfers, and Human Rights Violations. *Human Rights Quarterly* 28(2006), 357-388.  
*This article examines the different export control systems that have been established in order to prevent the transfer of arms to countries that are in conflict or that have poor human rights records. It contends that while these export controls should have prevented the sale of arms to those countries, the existence of huge arms surpluses in Eastern Europe following the Cold War, and the vague language of the export control agreements have allowed for the transfers to continue.*

## **II. The Control of Conflict Minerals**

AAP. (2009). *New President Brings Panguna together*. Retrieved September 30, 2009, from: <http://tvnz.co.nz/world-news/new-president-brings-panguna-together-2486821?cfb=3>  
*This source is an article documenting recent history in the Bougainville region. Feuding landowner groups who shut down the massive Panguna copper mine and sparked a decade-long civil war with Papua New Guinea defence forces have shown unity to reconcile for the first time. Bougainville's newly-elected President James Tanis said in Port Moresby on Friday the region's crucial reconciliation process had taken a step forward when Panguna landowner factions agreed to work together.*

Bannon, I. & Collier, D. (2003). *Natural Resources and Armed Conflict*. Washington, DC: The World Bank.  
*The book edited by Ian Bannon and Paul Collier discusses several aspects of the relationship between natural resources and their impact on the likelihood for erupting conflict. It discusses the main explanation of the 'resource curse' and a number of instruments addressing various aspects fuelling conflict. While delegates are not expected to read the whole book, they should carefully read the summarizing chapter one and take a glance at the other chapters.*

Brennan, R. (2006). *Inside Congo, An Unspeakable Toll*. Retrieved September 30, 2009, from the International Rescue Committee Web site: <http://www.theirc.org/news/inside-congo-unspeakable-toll-washington-post-4098>  
*This Web site is maintained by the International Rescue Committee and focuses exclusively upon the Democratic Republic of the Congo. It points out the disproportional ratio of high death toll to low foreign aid and international awareness, and focuses upon calling for international support for the Congolese. Delegates will find this source useful for understanding the impact of the ongoing Congolese conflict, which other sources contend is a resource-related conflict.*

Bavier, J. (2008). *Congo War-Driven Crisis Kills 45,000 a Month-Study*. Retrieved September 30, 2009, from the Reuters Web site: <http://www.alertnet.org/thenews/newsdesk/L22802012.htm>  
*This source is an article highlighting the Congolese crisis and focusing on foreign aid. Citing the 400-to-1 ratio of health care spending on each resident of the US contrasted with each resident of the DRC, it points out regional and local initiatives working to halt the conflict. Delegates will find this source simplifies the conflict's possible solutions when attempting to gain initial knowledge of the DRC conflict.*

BBC. (2005). *President Elected in Bougainville*. Retrieved October 3, 2009, from: <http://news.bbc.co.uk/2/hi/asia-pacific/4612685.stm>

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

BBC. (2005). *PNG Island Vote Tests Peace Deal*. Retrieved October 3, 2009, from: <http://news.bbc.co.uk/2/hi/asia-pacific/4568405.stm>

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

Conciliation Resources. (n.d.). *Accord Papua New Guinea – Bougainville Project*. Retrieved October 8, 2009, from: <http://www.c-r.org/our-work/accord/png-bougainville/index.php>  
*Conciliation Resources is an NGO whose purpose is to document ongoing and completed peace processes and educating peacemakers and the public on the progresses and failings of certain plans to influence future attempts at peacemaking. This particular source focuses on the Bougainville conflict and attempts to create a sustainable peace at the end of a decade of conflict. Delegates will find this source useful to learning about international efforts to end the conflict in Bougainville prior to the election process.*

Deibert, M. (2009). *Zimbabwe: More Calls to Ban Blood Diamonds*. Retrieved October 8, 2009, from: <http://allafrica.com/stories/200905240008.html>

*This source is an AllAfrica article documenting the ongoing attempts, as of May 2009, to restrict the diamond trade in Zimbabwe. With accusations of human rights abuses by the Zimbabwean government, international efforts have increased in recent years and industry leaders have joined the call to restrict and document diamond trading. The article also documents the history of the Eastern province of Marange's diamond trade and the conflict-ridden history of the resource industry in Zimbabwe.*

Dias, E. (2009). *First Blood Diamonds, Now Blood Computers?*. Retrieved September 30, 2009, from the Time Magazine Web site :

<http://www.time.com/time/world/article/0,8599,1912594,00.html>

*The author of this article in the American newsmagazine Time draws a parallel between the relatively well-publicized conflict diamond problem and the relatively obscure issues with other conflict minerals, such as coltan, wolframite and cassiterite. The latter three are of particular import in the Western world due to their prominent usage in the creation of consumer electronics. Citing Global Witness' seminal report on the subject, this source highlights the source of minerals in the DRC and traces them through to usage in cell phones and video game consoles in the Western world.*

Ewing, J. (2008). *Congo Fighting Revives Tainted Phone Fear*. Retrieved October 5, 2009, from: [http://www.businessweek.com/globalbiz/content/nov2008/gb20081117\\_671426.htm](http://www.businessweek.com/globalbiz/content/nov2008/gb20081117_671426.htm)

*This source is an article from the publication BusinessWeek analyzing the risk that Western consumer electronics such as cellular phones contain coltan or other minerals mined in conflict zones. This source was used for tantulum pricing and related analysis on the cyclical impact between pricing and conflict profiteering. However, the source also notes the primary sources of coltan are not in Africa, and that China is coltan's primary source.*

Extractive Industries Transparency Initiative. (2009). *EITI Fact Sheet*. Retrieved October 10, 2009, from: <http://eititransparency.org/document/factsheet>

*The Extractive Industries Transparency Initiative attempts to promote transparency in the management of natural resources in order to prevent negative impacts. EITI requires companies and government to disclose payments, which is verified by an independent multi-stakeholder group. Besides Azerbaijan and Liberia, which are already in full compliance, 28 countries have achieved candidate status, with a significant number of further countries showing interest in joining.*

Global Witness. (2009). "Faced With a Gun, What Can you Do?" *War and the Militarization of Mining in Eastern Congo*. Retrieved October 5, 2009, from:

[http://www.globalwitness.org/media\\_library\\_get.php/980/1252529424/report\\_en\\_final.pdf](http://www.globalwitness.org/media_library_get.php/980/1252529424/report_en_final.pdf)

*This source is a July 2009 report by the NGO Global Witness on the Eastern Congo. Delegates will find this source useful for any information needed on the Eastern Congolese region of Kivu, where mining and conflict have grown inexorably together to perpetuate violence in the region. This report is cited in nearly a dozen other sources used for this document due to its in-depth nature and its source, one of the most trusted NGOs in their field. The report also isolates specific minerals, noting which are not relevant to the Congolese conflict as well as those that are. Finally, the report discusses the state of the mining industry, noting that coltan mining today and California gold mining in the 1800s use nearly identical methods despite a 200-year time difference.*

Global Witness. (2009). *Bisie Killings Show Minerals at the Heart of Congo Conflict*. Retrieved October 4, 2009, from:

[http://www.globalwitness.org/media\\_library\\_detail.php/801/en/bisie\\_killings\\_show\\_minerals\\_at\\_heart\\_of\\_congo\\_conflict](http://www.globalwitness.org/media_library_detail.php/801/en/bisie_killings_show_minerals_at_heart_of_congo_conflict)

*Global Witness is both a reporting NGO and an advocating group focused upon ending the relationship between minerals and conflict. This page focuses on the latter mission, specifically upon ending 'the militarization of the mining sector' in Eastern Congo. It discusses the Bisie cassiterite mine in detail, where in addition to the risk of unsafe working conditions, workers are subject to attacks such as the 12 August 2009 attack, which killed at least 16, most of whom were civilians or police officers.*

Global Witness. (n.d.) *Definition of Conflict Resources*. Retrieved October 10, 2009, from:

[http://www.globalwitness.org/pages/en/definition\\_of\\_conflict\\_resources.html](http://www.globalwitness.org/pages/en/definition_of_conflict_resources.html)

*Global Witness, one of the leading NGOs dealing with conflict minerals, proposed a definition of conflict resources for broader international acceptance. Recognizing that one of the primary issues with conflict minerals is the lack of a consensus definition that is both concise and accurate, Global Witness offered one possible suggestion. Other definitions have been offered as well, and the scholarly community and the industries associated with mining both have offered numerous alternatives they argue are better suited to the issue; Global Witness is thus far from universally accepted as of the time of this writing. Delegates will find this source useful to see one definition of conflict resources that will help encapsulate the issue at the beginning of their research.*

Government of Australia. (n.d.). *Origins of the Bougainville Conflict*. Retrieved September 30, 2009, from: <http://dl.screenaustralia.gov.au/module/357/>

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

GTZ. (n.d.). *Bougainville / Papua New Guinea*. Retrieved September 30, 2009, from:

<http://www.gtz.de/de/dokumente/en-crisis-bougainville.pdf>

*This source is a fact sheet on the Bougainville conflict and was used in the writing of that portion of the background materials. It concentrates less primarily on the conflict and more upon the*

*region and the context in which the conflict developed and happened, providing useful background on some of the reasons why minerals can interact with cultural and environmental concerns to fuel conflict. It is also the primary source used for certain cultural traits of the people of Bougainville, such as their matrilineal culture and the peace movement among the people during the conflict.*

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

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

Indigenous Peoples' International Centre for Policy Research and Education. (2009). *Concept Paper: International Conference on Indigenous People and Extractive Industries*. Retrieved October 1, 2009 from:

[http://www.tebtebba.org/index.php?option=com\\_content&view=article&id=46&Itemid=57](http://www.tebtebba.org/index.php?option=com_content&view=article&id=46&Itemid=57)  
*The Indigenous Peoples' International Centre for Policy Research and Education is a NGO accredited with the Economic and Social Council. Its work focuses on the rights of indigenous population worldwide, especially with regard to their right to sovereign use of natural resources on their territories. The concept paper on a conference held in May 2009 discusses relevant documents underlining indigenous peoples rights. On the Web site, delegates will also find access to a number of papers and presentation given by stakeholders discussing a number of different cases of environmental destruction in indigenous peoples' territories.*

International Finance Corporation. (2009). *Environmental and Social Standards*. Retrieved October 10, 2009 from: <http://www.ifc.org/ifcext/sustainability.nsf/Content/EnvSocStandards>  
*The International Finance Corporation is part of the World Bank Group. The IFC has updated its social and environmental standards for projects in 2006. Besides these project standard, the IFC also requires clients to engage with local communities. IFC policies are implemented through the respective clients and compliance should be insured through an ombudsman responsible for each project.*

Lind, J., Sturman, K. (2003). *Scarcity and Surfeit: The Ecology of Africa's Conflicts*. Pretoria: Institute of Security Studies.

*This book is a product of international and regional co-operation, and forms part of the growing efforts of the African Centre for Technology Studies (ACTS) and the Institute for Security Studies (ISS) to explore and promote understanding of the complex dimensions and causes of political conflicts in Africa. The resource takes an unusual view of two volatile regions of sub-Saharan Africa: the Greater Horn of Africa and the Great Lakes. The book's African and international scholars look beyond the obvious and oft-cited single-cause explanations of armed conflicts in Africa such as ethnicity and resource exploitation, to consider and evaluate the role of "ecological factors", including natural resources, as important but not exclusive sources of conflicts currently on-going in the continent.*

Kimberley Process. (n.d.). *Homepage*. Retrieved September 26, 2009, from:

<http://www.kimberleyprocess.com/>  
*The Kimberley Process is a documentation and tracking initiative focusing on diamond mining and trading, with the intention of slowing and eventually ending the conflict diamond trade. The Web site explains the Kimberley Process Certification Scheme (KPCS), which endeavors to enable the certification of rough diamond shipments as conflict-free. Delegates will find this source useful in analyzing one of the major endeavors to combat the conflict mineral trade; delegates will also need to consult other sources which are critical of the Kimberley Process.*

Murison, K. (2004). *Africa South of the Sahara*. Surrey: The Gresham Press. Retrieved October

10, 2009, from: [http://books.google.com/books?id=jj4J-AXGDaQC&pg=PA274&lpg=PA274&dq=conflict+wolframite+site:books.google.com&source=bl&ots=JHqew1plzs&sig=dZISDk0z2VV8TknDfWPGb7DdEWw&hl=en&ei=-HrVStTzG5LasgOYvLniAg&sa=X&oi=book\\_result&ct=result&resnum=3&ved=0CBAQ6AEwAg#v=onepage&q=&f=true](http://books.google.com/books?id=jj4J-AXGDaQC&pg=PA274&lpg=PA274&dq=conflict+wolframite+site:books.google.com&source=bl&ots=JHqew1plzs&sig=dZISDk0z2VV8TknDfWPGb7DdEWw&hl=en&ei=-HrVStTzG5LasgOYvLniAg&sa=X&oi=book_result&ct=result&resnum=3&ved=0CBAQ6AEwAg#v=onepage&q=&f=true)

*This source is a very detailed country-by-country profile of sub-Saharan Africa. Delegates will find it most useful when isolating particular countries to focus on, as the history sections provide reasoning behind the beginning of resource-related conflicts that look at overall political and economic factors rather than simply focusing on the resources themselves. The more holistic approach is useful for understanding how different conflicts can be affected to varying degrees by their respectively linked resources.*

O'Callaghan, M. (2002). *The Origins of the Conflict*. Retrieved October 9, 2009, from the Conciliation Resources website: <http://www.c-r.org/our-work/accord/png-bougainville/origins-conflict.php>

*The article discusses the historic origins of the Bougainville conflict and thus gives delegates the necessary background knowledge for understanding this case. It discusses discrimination of workers, environmental destruction through the mining operations as essential causes of the rise in conflict. The author discusses how violence and counter-violence led to an escalation in conflict to a level that is still inhibiting reconciliation today.*

Polgren, L. (2008). *The Spoils – Congo's Riches, Looted By Renegade Troops*. Retrieved September 30, 2009, from the New York Times Web site:

[http://www.nytimes.com/2008/11/16/world/africa/16congo.html?\\_r=1](http://www.nytimes.com/2008/11/16/world/africa/16congo.html?_r=1)

*The historic injustices and crimes committed by Congolese/ Zairean kings and dictators have been financed and sustained by the DRC's natural riches. The demand of Western nations for these resources have regularly made them turn a blind eye to the fact that the exploitation of natural resources has benefited the few and powerful – during the Cold War and still today. The exploding world market prices for coltan in the last years through ever growing global demand for consumer electronics have started another spiral of forceful appropriation of natural resources through commanders of militias within the national army. While these riches are used for personal enrichment, the forceful and illicit nature combined with the profits to be made spur conflicts between rivaling groups for the control of resources.*

Prendergast, J. (2009). *Can you Hear Congo Now? Cell Phones, Conflict Minerals, and the Worst Sexual Violence in the World*. Retrieved September 30, 2009, from:

<http://www.enoughproject.org/publications/can-you-hear-congo-now-cell-phones-conflict-minerals-and-worst-sexual-violence-world>

*The Enough Project is an US-American-based NGO working to halt human rights abuses and other injustices worldwide. This source is their primary document on the Congolese conflict, and focuses on resources as historical background to the current state of the DRC. This source is incredibly useful in highlighting human rights abuses, most specifically sexual violence, occurring in the DRC, and is one of the few sources to document specific abuses individually; it was in this capacity that it was utilized for these background materials.*

Pugh, M., Cooper, N. (2004). *War Economies in a Regional Context: Challenges of Transformation*. Boulder: Lynne Rienner Publishers.

*Pugh, with his fellow authors, wrote this source as a regional perspective on conflict, and noted not only a regional but an economic perspective in this analysis as well. The combined prominence of regional and economic analyses made this a valuable source for delegates in seeing how the West African resource conflicts are tied together due to their proximity as well as in their dependence on resources. Thus this source demonstrates on a theoretical level how regional approaches to understanding conflict will lead to better results when attempting to stop conflicts. In addition, this document analyzes specific case studies and will be secondarily useful in this more general regard.*

Reddy, P. (2008). Reconciliation in Bougainville: Civil War, Peacekeeping and Restorative Justice. *Contemporary Justice Review*, 11, 2, pp.117-130.  
*According to the author, this article is meant to outline the case of Bougainville and demonstrate that restorative justice can positively contribute to the success of international interventions and peacekeeping missions. The international intervention in Bougainville is a unique example due to the fact that it was organized and implemented with societal reconciliation as one of its prime aims. This article is useful not only in the case of Bougainville but broadly to demonstrate how thoughtful and deliberate interventions can be successful.*

Renner, M. (2002). *The Anatomy of Resource Wars (WorldWatch Paper 162)*. Retrieved September 30, 2009, from the WorldWatch Web site:  
<http://www.worldwatch.org/system/files/EWP162.pdf>  
*This Worldwatch Institute Report focuses on the relationship between resources and conflict, and provides excellent background on the phenomenon of the "resource curse" afflicting resource-rich countries. It provides focused insight into specific conflicts, isolating how resources in each case either aided in causing or in sustaining conflict in their regions. This source was also used for background on the Bougainville case study.*

Ross, M. (2001). *Extractive Sectors and the Poor*. Retrieved October 3, 2009, from:  
[http://www.oxfamamerica.org/files/OA-Extractive\\_Sectors\\_and\\_the\\_Poor.pdf](http://www.oxfamamerica.org/files/OA-Extractive_Sectors_and_the_Poor.pdf)  
*This publication was released on the "eve of a new yearlong World Bank review of its oil, gas, and mining investment." The document, contests the conventional economic wisdom that developing nations prosper by extracting and exporting their oil and mineral wealth. For a useful overview of the role of extractive industries in perpetuating and contributing to poverty this document is very useful.*

Rotheroe, D. (1999). Paradise Regained. *Geographical*, 71, 6, p. 56.  
*Since 1989, rebels on the island of Bougainville have been fighting for independence from Papua New Guinea. Rotheroe visited the island before the recent ceasefire and discovered the islanders waging an eco-war to save their land from industrial destruction. This source documents his views and analysis of the conflict.*

Studdard, K. (2004). *War Economies in a Regional Context: Overcoming the Challenges of Transformation*. Retrieved September 30, 2009, from the International Peace Academy Web site:  
<http://www.ipacademy.org/media/pdf/publications/wareconomies.pdf>  
*This document is a regional analysis of conflict causes and perpetuation. Focusing on the military, social, economic and political networks that exist across borders, the source is useful in pointing out a philosophical rationale for why conflicts such as the Congolese conflict, which includes Rwandan and other foreign parties, can exist without regards to state borders. Delegates will find this source useful as a regional view on conflict causes and perpetuation, with a heavy focus on regional solutions to conflicts. The entire source is written with due regard given to the prominence of resource extraction in the economic underpinnings of conflict.*

The National. (2009). *At Last, BCL Listens*. Retrieved October 1, 2009 from the National website:  
<http://www.thenational.com.pg/?q=node/1316>  
*The article discusses the most recent events surrounding the Panguna mine. It reports on the work done in Bougainville on fostering reconciliation between the parties to the conflict. It provides interesting insight into the post-conflict process*

United Nations. Economic and Social Council. Commission on Human Rights. (1996). *Report by the Special Rapporteur on his Mission to Papua New Guinea Island of Bougainville from 23 to 28 October 1995 (E/CN.4/1996/4/Add.2)*, Retrieved October 5, 2009, from:  
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/4c2d6083d96cde2f8025668d00304fce?Opendocument>

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

United Nations. General Assembly. 62<sup>nd</sup> Session. (2008). *Strengthening Transparency in Industries (A/RES/62/274)*. Retrieved October 10, 2009, from: <http://www.un.org/ga/62/resolutions.shtml>

*The General Assembly reaffirmed that the use of natural resources lies in the sovereignty of each state and should be exercised for their well-being. It acknowledges the international dimension that corruption in the management of natural resources plays and underscores the need to address corruption and strengthen transparency in decision-making processes.*

United Nations Global Compact. (2009). *Homepage*. Retrieved October 10, 2009, from: <http://www.unglobalcompact.org/>

*The UN's Global Compact is an initiative by former Secretary-General Kofi Annan to foster fundamental core principles for private organizations', mostly businesses, activities. Under the initiative, businesses voluntarily subscribe to follow the 'ten principles' encompassing respect for fundamental human and labor rights, environmental sustainability and anti-corruption measures. Organizations being registered with the Global Compact annually report on the implementation of the principles.*

United Nations. Permanent Forum on Indigenous Issues. (2009). *Report of the International Expert Group Meeting on Extractive Industries, Indigenous Peoples' Rights and Corporate Social Responsibility (E/C.19/2009/CRP.8)*. Retrieved October 10, 2009, from: [http://www.un.org/esa/socdev/unpfii/en/EGM\\_IPCR.html](http://www.un.org/esa/socdev/unpfii/en/EGM_IPCR.html)

*The UN's Permanent Forum on Indigenous Issues set up a special expert workshop that was held in May 2009 in Manila. The experts report provided an analysis of the current situation, initiatives and the role of various stakeholders. Among others, the Extractive Industries Transparency Initiative is criticized for focusing too exclusively in financial transparency and failing to do so with regard to social, environmental, cultural and economic impacts of their operations on indigenous populations. The report finally formulates a number of recommendations for the Permanent Forum, various UN and other financial organizations.*

United Nations. Security Council. (2001). *Security Council Condemns Illegal Exploitation of Democratic Republic of the Congo's Natural Resources: Following Day-Long Debate, Presidential Statement Notes Terrible Toll Conflict Is Taking (SC/7057)*. Retrieved October 11, 2009, from: <http://www.un.org/News/Press/docs/2001/sc7057.doc.htm>

*On March 5, 2001, the Security Council met to discuss the Democratic Republic of the Congo; their discussion is summarized in this press release. Delegates will find this source useful for highlighting specific country priorities in dealing with the Congolese crisis, particularly among the major world powers and among the African representatives to the Security Council. The press release also summarizes the related presidential statement on the Congolese conflict.*

United Nations. Security Council. (2006). *Strengthening the Effectiveness of the Security Council's Role in Conflict Prevention, Particularly in Africa (S/RES/1625)*. Retrieved September 30, 2009, from: <http://www.un.org/Docs/sc/unsct/resolutions05.htm>

*This source is Security Council Resolution 1625 from 2006. It relates primarily to the Security Council increasing its involvement and the effectiveness of that involvement in African conflicts. Delegates will find this document useful for developing a better understanding of previous United Nations action on conflicts. It reaffirms the Council's previous statements on a direct link between resources in general and conflict.*

United Nations. (n.d.). *What Is Coltan?*. Retrieved October 12, 2009, from:

<http://www.un.int/drcongo/war/coltan.htm>

*This source is a United Nations Web page on columbite-tantalite, known by the African slang term 'coltan.' Coltan, or tantalum ore, is a primary funding source for numerous parties in the Eastern part of the Democratic Republic of the Congo. Delegates should use this source to get general knowledge of the coltan industry's links to the Congolese conflict and the reasons why these links exist.*

Voluntary Principles on Security and Human Rights. (2005). *Five-Year Overview of the Voluntary Principles on Security & Human Rights*. Retrieved October 10, 2009 from:

<http://www.voluntaryprinciples.org/reports/2005/index.php>

*The Principles have been developed in 2000 by several governments, extractive industry businesses and human rights NGOs. They are intended to raise corporations' awareness to possible negative impacts of their operations. Businesses have stressed their need for support by local governments and human rights NGOs in the implementation of these policies. The Web site further summarizes findings from Indonesia and Colombia.*

York, G. (2009). *The Failing Battle Against Blood Diamonds*. Retrieved October 10, 2009 from

The Globe and Mail Website: [http://www.theglobeandmail.com/news/world/the-failing-battle-against-blood-diamonds/article1197805/&usg=AFQjCNFMbnF5y9068OkhRb\\_9snt3nvd9bg/](http://www.theglobeandmail.com/news/world/the-failing-battle-against-blood-diamonds/article1197805/&usg=AFQjCNFMbnF5y9068OkhRb_9snt3nvd9bg/)

*Canadian Ian Smilie has been an expert on conflict diamonds for more than an decade and was involved in the creation of the Kimberley Certification Scheme. His resignation from the Kimberley Scheme is considered a 'big blow' and wake-up call to its shortcomings. The article discusses events from Guinea and Zimbabwe as examples for the 'lacking teeth' of the scheme.*

### **III. Privatization of War: Employing and Arming Independent Militias**

Alabarda, Y., & Liswec, R. (2007, June). *The Private Military Firm: Historical Evolution and Industry Analysis*. Retrieved August 12, 2009.

*While this source does explore PMCs themselves, it serves as a better indicator from the business side of the industry, and not just the war. It shows why it is a better fit, in certain cases, for a country or corporation to employ security firms in order to protect their assets.*

British Association of Private Security Companies, (2008). *BAPSC Charter*. Retrieved October 3, 2009, from [http://www.unwg.rapn.ru/ru/legislation/BAPSC\\_Charter.pdf](http://www.unwg.rapn.ru/ru/legislation/BAPSC_Charter.pdf)

*Private Security Companies have begun to take an approach to regulation. The British Association of Private Security Companies mandates UK based PSCs to understand not all states have the strongest of infrastructures or rule of law, but need to abide by basic humanitarian standards in line with international legislation. This is an important step for regulations, as it sets a positive precedent since PSCs took the initiative to begin a better public image by promoting regulation.*

International Herald Tribune. (2009, August 21). *Blackwater Worldwide News*. Retrieved from

[http://topics.nytimes.com/top/news/business/companies/blackwater\\_usa/index.html?scp=1-spot&sq=blackwater%20usa&st=cse](http://topics.nytimes.com/top/news/business/companies/blackwater_usa/index.html?scp=1-spot&sq=blackwater%20usa&st=cse)

*Background information is vital - this particular article does offer information on Blackwater, but it also analyzes its work with the CIA and acquiring targets in Iraq. Upon reading, it should raise good questions for assessment, such as why they were given so much power to perform these types of jobs to acquire targets within Iraq?*

Boot, M., & Kirckpatrick, J. J. (2007, October 3). *Accept the Blackwater Mercenaries*. Retrieved October 7, 2009, from

[http://www.cfr.org/publication/14359/accept\\_the\\_blackwater\\_mercenaries.html](http://www.cfr.org/publication/14359/accept_the_blackwater_mercenaries.html)

*The accounts of what happened on September 16, 2007 vary. As stated before, some accounts say the guards were provoked and that is why they shot. This article looks at both sides of the*

*argument. It states that while the Interior Ministry accumulated facts and deemed the shooting unwarranted, it also read that the ministry was corrupt, and there were other incidents in where the Iraqi security forces opened fire on innocent civilians. Just because the ones who opened fire in this case were PMC guards, they believe they are being wrongly vilified.*

Commonwealth of Independent States. (2005). *On Counteracting Mercenarism*. *The Commonwealth of Independent states is a small IGO comprised of 13 states; however, according to the text of this document, they prohibit the use of any type of mercenary. Of all the IGOs, the CIS document seems to have the most aggressive strategy to counter the use and actions of mercenaries.*

Organization for African Unity. (1972). *Convention on the Elimination of Mercenaries in Africa*. Retrieved October 3, 2009, from

<http://www1.umn.edu/humanrts/instree/mercenaryconvention.html>

*The African continent has been cursed by having strife prevalent for years. The OAU, in order to battle mercenary soldiers for hire, drafted this convention to try and ensure mercenary armies would not set foot on the continent. It provides a framework for the 1989 UN convention regarding mercenaries, but similarly to the UN convention, it addresses the actor and not the actions. In this light, a PMC is simply a mercenary army.*

Dobbins, J., Jones, S. G., Runkle, B., & Mohandas, S. (2009). *Occupying Iraq: History of the Coalition Provisional Authority*. Retrieved from RAND Corporation Web site:

[http://www.rand.org/pubs/monographs/2009/RAND\\_MG847.pdf](http://www.rand.org/pubs/monographs/2009/RAND_MG847.pdf)

*The Coalition Provisional Authority of Iraq brokered the deal,s which made it impossible for PMCs to be punished in Iraq. This report, though long, looks at all aspects the CPA used in order to occupy Iraq. This report also looks at the Fallujah massacre of the Blackwater guards.*

Drohan, M. (2003). *Making a Killing: How and Why Corporations use Armed Force to do Business*. Canada: Random House.

*It looks at companies who linked up with private military firms in order to make a profit. It examines 10 specific case studies such as the Shell Corporation in Nigeria and Ranger Oil in Angola; Drohan limits all her case studies to the African Continent. This book looks at the companies and corporations who hire the private military firms as opposed to just looking at the State.*

GlobalSecurity.org. (2005). *Executive Outcomes*. Retrieved October 7, 2009, from

[http://www.globalsecurity.org/military/world/para/executive\\_outcomes.htm](http://www.globalsecurity.org/military/world/para/executive_outcomes.htm)

*Basic background information is important. GlobalSecurity.org offers that simple information. This particular page gives a quick overview of Executive Outcomes and some of their work. This is not to be used as a primary source, but rather as a source to supplement greater work or as a starting point to other areas to find information.*

Glanz, J., & Rubin, A. J. (2007, October 3). From Errand to Fatal Shot to Hail of Fire to 17 Deaths. *International Herald Tribune*. Retrieved from

[http://www.nytimes.com/2007/10/03/world/middleeast/03firefight.html?\\_r=1&pagewanted=1](http://www.nytimes.com/2007/10/03/world/middleeast/03firefight.html?_r=1&pagewanted=1)

*In what was supposed to be a regular day for one family, it turned into a nightmare. This article accounts the September 16, 2007 shootings from the Blackwater guards in Baghdad. The article indicates that no guard was ever shot upon, and that even though guards were shooting at innocent civilians, other Blackwater guards were urging their own shooters to stand down and stop. This article gives an account of how the guards were not justified in shooting at the civilians.*

PBS Frontline. (2005, June 21). *The High Risk Contracting Business*. Retrieved October 12, 2009, from <http://www.pbs.org/wgbh/pages/frontline/shows/warriors/contractors/highrisk.html>

*The March 31, 2009 killing of Blackwater guards in Fallujah was a turning point in Iraq. This page gives information on who the guards were, what they were doing, and why they were doing it. Additionally, it has links to interviews and other pages related to the incident.*

*Lusaka Protocol*. (1994, November 15). Retrieved October 4, 2009, from Conciliation Resources Web site: <http://www.c-r.org/our-work/accord/angola/lusaka-protocol.php>

*The Lusaka Protocol brought an end to the Angolan war. The most important quality of this protocol is, however, is that it banned Executive Outcomes (and any other mercenary army) from being in the country. Annex 3 states that there will be a repatriation of all mercenaries within the country.*

Machiavelli, N. (1952). *Great Books of the Western World: Vol. 21. The Prince* (P. W. Goetz, Ed., W. Marriott, Trans.). Chicago: Encyclopædia Britannica. (Original work published 1513)

*Machiavelli wrote this work in the 1513, and it gives an analysis of leadership, way of conducting war, and how to treat your population. The quote used indicates one of the fundamental problems with hiring PMCs: soldiers not of that country which they are helping are simply mercenaries.*

Mbogo, S. (2000, September). Mercenaries? No, PMCs. *West Africa Magazine*, (4244), 18-27.

Retrieved from <http://www.hoosier84.com/westafricaarticle.pdf>

*Mbogo looks at the PMC promises that the UN cannot follow through with. Mbogo notes that the small nature of a PMC makes them more useful to swift solutions to conflict areas. He further recognizes that PMCs may be able to curb violence in the short term, he also notes that long term political stabilization is the key to a successful operation and solution in Africa.*

Nikotin, A. I. (2009, March 6). *Human Rights Council- Oral Statement*. Retrieved September 12, 2009, from

[http://www2.ohchr.org/english/issues/mercenaries/docs/Statement\\_Nikitin\\_HRC10\\_6Mar09.doc](http://www2.ohchr.org/english/issues/mercenaries/docs/Statement_Nikitin_HRC10_6Mar09.doc)

*The President of the working group on mercenaries spoke on behalf of the group. He reiterated their position, and indicated the work they intend to do. They successfully completed a trip to the UK in order to assess the work of PMCs, and scheduled a trip to the US in order to evaluate and assess their PMCs. Additionally, the President of the group urged for the international convention concerning mercenaries.*

Scahill, J. (2007). *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. New York City, New York: Nation Books.

*This book follows the rise of Blackwater, one of the most powerful private military corporations. It stems back to 1996 at its founding, and follows them through from business infancy, to their boom during the Iraq war. This book is relevant because it looks at the rise of PMCs in Iraq and Afghanistan.*

Shearer, D. (1998, Fall). Outsourcing War. *Foreign Policy*, 68-81. Retrieved August 11, 2009,

from <http://www.foreignpolicy.com/Ning/archive/archive/112/outsourcingwar.pdf>

*This article gives relevant information showing that states have utilized a form of private military for thousands of years. Additionally, Shearer assesses why private military firms were able to thrive after the end of the Cold War.*

Shearer, D. (2001, August/September). Privatizing Protection. *The World Today*, 57(8,9), 29-31.

*David Shearer takes another approach at looking at PMCs. In this article, however, he looks at the UN approach and how it has failed at peacekeeping operations, namely in Africa. He notes the conflicts in Rwanda, Democratic Republic of the Congo, and Sierra Leone as three examples. He found that while it could cause violations, the UN must not look away from this and see how it can be implemented to help in conflict zones. He also notes that PMCs can actually turn out to be cheaper than waiting for a state military or IGO to intervene.*

Singer, P. (2005, March/April). Outsourcing War. *Foreign Affairs*. Retrieved February 14<sup>th</sup>, 2010

from <http://www.foreignaffairs.com/articles/60627/p-w-singer/outsourcing-war>

*Singer is very critical of private military firms. He does, however, do a good job in assessing the need for them in certain conflict areas. He shows how war torn states are in need of these firms because of lack of support from developed countries and IGOs.*

Stiglitz, J. E., & Blimes, L. J. (2008). *The Three Billion Dollar War: The True Cost of the Iraq Conflict*. New York City, New York: W.W. Norton and Company.  
*This book looks at every aspect in the cost of the Iraq War of 2003. From money, to death tolls, to oil prices, but the most interesting factor found was the funding of private military firms through the US. It looks at exactly what went into hiring these firms, and briefly looks over their role as well.*

Thompson, G., & Risen, J. (2008, December 5). 5 Guards Face U.S. Charges in Iraq Deaths. *International Herald Tribune*. Retrieved from <http://www.nytimes.com/2008/12/06/washington/06blackwater.html>  
*Five of the guards involved with the September 16, 2007 shootings face prosecution in the United States; however, it is going to be difficult to prosecute. First, for Americans who commit crimes abroad (especially under contract from the US Government), it is difficult to be tried and prosecuted. Additionally, PMCs are immune from being prosecuted in Iraq, so this immunity became a central issue when renegotiations were due for the US Government and their PMC.*

## **Rules of Procedure**

### **General Assembly Disarmament and International Security Committee (GA1st)**

#### ***Introduction***

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

#### **I. SESSIONS**

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

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

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

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

#### **II. AGENDA**

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

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

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

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

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

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

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

*As the General Assembly Plenary determines the agenda for its Committees, this rule is applicable only to the Plenary body. Items cannot be amended or added to the agenda by any of the Committees of the Assembly. For purposes of this rule, the determination of an item of an “important and urgent character” is subject to the discretion of the Secretariat, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Assembly to be placed on the agenda. It will, however, not be considered by*

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

***Rule 6 - Explanatory memorandum***

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

### III. SECRETARIAT

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

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

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

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

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

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

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

The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Assembly for the duration of the session, unless otherwise decided by the Secretary-General. The Assembly shall have twenty-one Vice-Presidents, based on the same apportionment as the Vice-Presidents recognized in the Assembly.

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

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

### IV. LANGUAGE

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

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

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

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

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

### V. CONDUCT OF BUSINESS

***Rule 14 - Quorum***

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

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

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

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

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

**Rule 16**

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

**Rule 17 - Points of order**

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

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

**Rule 18**

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

**Rule 19 - Speeches**

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

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

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

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

*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 Assembly. A motion to close the speakers list is within the purview of the Assembly 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 Assembly by the representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose.*

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

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

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

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

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

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

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

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

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

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

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

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

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

Proposals and substantive amendments shall normally be submitted in writing to the Secretariat, with the names of twenty percent of the members of the Assembly would like the Assembly to consider the proposal or amendment. The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Assembly unless copies of it have been

circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated. If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Assembly 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 Assembly by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Assembly. These draft resolutions are the collective property of the Assembly and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form.*

**Rule 28 - Withdrawal of motions**

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

**Rule 29 - Reconsideration of a topic**

When a topic has been adjourned, it may not be reconsidered at the same session unless the Assembly, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately. *For purposes of this rule, "those present and voting" means those representatives, including observers, in attendance at the meeting during which this motion is voted upon by the body.*

## VI. VOTING

**Rule 30 - Voting rights**

Each member of the Assembly shall have one vote.

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

**Rule 31 - Request for a vote**

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

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

**Rule 32 - Majority required**

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

*All members declaring their representative States as "present and voting" during the attendance roll call for the*

*meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain.*

***Rule 33 - Important questions [This rule is only applicable in the General Assembly Plenary]***

1. The Assembly may declare a question as important. Motions to declare a topic an important question must be made at the outset of the voting procedure for that topic; such motions may only be made by the Assembly. On such a motion, two members may speak in favor of the motion and two may speak against it. The motion shall then be immediately put to the vote, requiring the support of a majority of the members present and voting to pass. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of non-permanent members of the Security Council, the election of members of the Economic and Social Council, the election of the members of the Trusteeship Council, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of members, questions relating to the operation of the trusteeship system, and budgetary questions.
2. Decisions of the Assembly on amendments to proposals relating to important questions, and on parts of such proposals put to the vote separately, shall be made by a two-thirds majority of the members present.

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

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

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

2. When the Assembly 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 Assembly shall dispense with the procedure of calling out the names of the members.
3. The vote of each member participating in a roll call or a recorded vote shall be inserted in the record.

***Rule 35 - Explanations of vote***

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

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

***Rule 36 - Conduct during voting***

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

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

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those

present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are involved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

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

**Rule 38 - Amendments**

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal. *An amendment can add, amend, or delete operative clauses, but cannot in any manner add, amend, delete, or otherwise affect perambulatory clauses.*

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

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

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

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

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

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

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

## VII. CREDENTIALS

**Rule 42 - Submission of credentials**

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

**Rule 43 - Credentials Committee**

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

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

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

## VIII. GENERAL COMMITTEE

**Rule 45 - Composition**

The General Committee shall comprise the President of the Assembly, who shall preside, the twenty-one Vice Presidents and the Chairpersons of the six Main Committees.

**Rule 46 - Functions**

In considering matters relating to the agenda of the Assembly, the General Committee shall not discuss the substance of any item except in so far as this bears upon the question whether the General Committee should recommend the inclusion of the item in the agenda and what priority should be accorded to an item the inclusion of which has been recommended.

***Rule 47***

The General Committee shall assist the President and the Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in coordinating the proceedings of all committees of the Assembly. It shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

***Rule 48 - Participation by members requesting the inclusion of items in the agenda***

A member of the Assembly which has no representative on the General Committee and which has requested the inclusion of an item in the agenda shall be entitled to attend any meeting of the General Committee at which its request is discussed and may participate, without a vote, in the discussion of that item.