The United Nation's role in promoting participation in Civil Society

by Laura Kavanagh

Civil society can be defined in a variety of ways. In technical terms it is a way for citizens to participate in the process of discussing and debating public policy by conveying their ideas through non-violent interactions. This can refer to members in the community bound together by related interests and goals that interact with the state as a political entity, such as political parties. It can also be groups or organizations that form to respond to a need that is not being met sufficiently by the government. In its broadest terms civil society can refer to any institution within a country in which citizens are engaging in non-violent political or community activity. Political action committees, some church groups, voter registration drives, and non-profits are civil society institutions.

Although the large majority of these institutions are local in nature, their significance to the international community can be immense. Participation in civil society institutions by citizens of a state can encourage economic and political stability, lessen corruption, boost democracy and raise human rights awareness. The effect that this participation has is often referred to hand in hand with "capacity-building," which essentially means improving the power or ability of each citizen through the enhancement of governmental and societal institutions. Capacity building is important most especially for developing countries, where it is felt that if each citizen can advance and progress on an individual level, they will work better collectively to build and maintain economic and political stability and progress that can be difficult for outside parties to accomplish. Participation in civil society and capacity building, in this sense, are seen as interrelated concepts with similar problems and solutions. In recent years the UN has focused its attention on how to promote the rights of citizens, enhance their participation in governance, and thereby promote stability, all forms of development, and security.

In addition to civil society at the national level, citizen organizations at the global level have also become active in the international system. Within the United Nations these civil society institutions are referred to as NGOs or non-governmental organizations. NGOs are non-governmental groups whose members are private individuals originating from a variety of countries. These groups usually arise from the need for more attention to be brought to an issue that is being ignored by local governments or is serious enough in magnitude to warrant extra consideration and resources. Amnesty International, Human Rights Watch, and Greenpeace are examples of such organizations.

Since the 1980's the number of NGOs within the UN system has grown drastically. Thousands of these groups participate within the UN system in major conferences and other activities, less as observers and more and more as participants. These civil society organizations have been vital resources for pursuing international human security, humanitarian, and development efforts. Over the past two decades, the growing UN-civil society relationship has increased the quality of decision making within the UN system, increased ownership of decisions, and has promoted a more diverse pool of viewpoints. NGOs work to fill in gaps in human rights, development, the environment, democracy, and other needs all over the world. They often bring issues to the forefront of the international stage and are able to tackle a wider variety of issues than the United Nations could alone. NGOs have a unique ability to bridge the gap between goals and resolutions of the United Nations and implementation of programs and assistance. Thousands of NGO representatives have met in conjunction with international conferences such as the Rio conference on the environment and the Beijing Women's Conference, providing advice and input into policy discussions.

The United Nations has also recognized the role NGOs and civil society in general can play in conflict prevention. At a meeting held on 4 September 2003 under the auspices of the General Assembly on this topic, Under-Secretary-General for Humanitarian Affairs, Mr. Jan Egeland, stated:

> In the post-cold war era, it was more important than ever that the three actors in conflict prevention and resolution – governments, non-governmental organizations and international organizations – went hand in hand. The first lesson learned from his involvement in several peace processes had been that there could be no peace without the participation and the will of the parties and the populations involved, for which participation of civil society was fundamental. A peace process often started with humanitarian confidence-building measures, such as prisoner exchanges, the free passage of refugees, or the vaccination of children – all of which required that activist NGOs be 'on your side' (UN Press Release, GA/10146).

At the same meeting, Aldo Mantovani of Italy, speaking on behalf of the European Union and associated countries, noted that "the Union was convinced that civil society and non-State actors played an important role in preventing armed conflicts. NGOs had been particularly active in areas such as curbing the circulation of small arms and light weapons, and they were key actors in long-term conflict prevention" (UN Press Release, GA/10146).

Despite the fact that NGOs are an acknowledged part of the UN system and have played a large role in some UN gatherings, only one article of the UN charter, Article 71, mentions any official role within the UN structure. The Economic and Social Council (ECOSOC) and the Department of Public Information (DPI) are the two offices with formal links to NGOs under this article. ECOSOC resolution 1296 provides the conditions under which NGOs may be accorded "consultative status" in one of three classifications: Category I (General Status), Category II (Specialized Status) and Roster Status. Such NGOs "must have goals within the UN economic and social ambit … and have a representative and international character, and authorization to speak for members who are supposed to participate in a democratic fashion." Those in category I "are supposed to have broad economic and social interests and geographical scope; those in category II have more specialized interests." (Gordenker, p. 22). Those in category I may propose agenda items to ECOSOC's Committee on Non-Governmental Organizations, which makes recommendations on consultative status, and, as with category II NGOs, may send observers to all meetings and submit brief written statements to the Council. Many of these organizations participate in larger NGO associations such as the Conference of Non-Governmental Organizations in Consultative Status (CONGO) and occasionally make oral presentations to the Council or subsidiary bodies (Gordenker, pp. 22-23). NGOs in the Roster category may make occasional contributions, but their level of participation is lower than that of category I and II NGOs.

Although NGOs have been integrated into the UN system, at headquarters and international conferences, their presence has sometimes made it more difficult to reach consensus on global issues. Moreover, the presence of large numbers of NGOs in the field has sometimes created confusion and an "overcrowded humanitarian space," making it harder to coordinate development programs or humanitarian assistance and, at times, actually impeding the delivery of emergency aid. Finally, some States believe that NGOs and civil society institutions, through their involvement in international fora or criticism of governmental policies, interfere in their domestic affairs and encroach on their national sovereignty. Such States have occasionally challenged the accredited status of specific NGOs and raise the general question of how much access these organizations should have to the UN system. This continuing debate highlights the problems the UN faces in promoting domestic civil society institutions at the national level and/or the involvement of NGOs in the work of the United Nations itself.

Nevertheless, most States acknowledge that transnational NGOs and national civil society institutions can play a vital role in accomplishing the goals of the United Nations. They believe that all member states can benefit from the role that NGOs and civil society play, both within the UN system and in individual member states. Promotion of international and domestic civil society institutions may help improve human security and contribute to conflict prevention, create more political and economic stability, and improve the living conditions of all peoples. The real question is what specific programs can the United Nations implement that can promote these institutions, domestically and internationally, and how can it do so without violating the sovereign rights of member states.

Questions for Further Consideration
1. What interactions between the United Nations and NGOs and civil society institutions within states have the capacity to improve global human security?
2. What is the appropriate level and form of participation for NGO's within the UN system?
3. What measures should the UN take to improve capacity building and the role of civil society institutions?
4. What is the appropriate level of United Nations promotion of civil society institutions within states?

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The United Nation's Role in Promoting Good Governance

by Matt Burow

"Good governance" refers to "participatory, transparent, and accountable governance, where the institutions of governance are responsive to the people and their needs and operate according to the rule of law" (Global Agenda 2001-02, p. 93). The term came into use in United Nations development circles in the 1980s and 1990s (Global Agenda 2003-04, p. 168), but the concept has been a significant issue in political theory since the time of Plato.

Much of what modern political thinkers consider acceptable in the realm of government found expression in the 17th and 18th centuries through the works of John Locke, Jean-Jacques Rousseau, Montesquieu, Thomas Jefferson and others. Democracy, including notions of limited government, natural rights, separation of powers, checks and balances, popular elections, and government of the people, by the people, and for the people, has become the standard in much of the world community. Many of these underlying values are embodied in the Charter of the United Nations and numerous Conventions and Declarations.

Three years after the founding of the UN, the Universal Declaration of Human Rights was adopted by the General Assembly. The Declaration implicitly names democracy as the cornerstone of good governance: "The will of the people shall be the basis of the authority of government" (Universal Declaration, Article 21).

However, five decades later, western-style democracy is still seen in some countries as an imposition designed to bring about unwanted and, sometimes, contradictory political and social values and changes. Moreover, democracy is open to a number of interpretations and can come in many varieties. While the term "good governance" may be more politically neutral or impartial, it still raises the question of whether there is a standard form of governance, or at least certain minimal conditions, that form the basis for a well-governed, acceptable democratic system.

The United Nations and member States, at least in public fora, have outlined the benefits and constituent elements of good governance, primarily in relation to development issues. The United Nations Development Programme (UNDP) Poverty Report, "Overcoming Human Poverty," notes that "if poverty reduction programmes are to succeed, local government must be strengthened … good governance (is) the 'missing link' between anti-poverty efforts and poverty reduction." Further, good governance brings a proper balance among state action, the private sector, civil society, and the communities themselves. (GA 2001-02, p. 93).

Under the leadership of its current head, Mark Malloch-Brown, UNDP sees its primary functions as advocacy, advice, pilot projects and partnerships (GA 2001-02, p. 96). To promote good governance, especially in the Least Developed Countries (LDCs), the UN's anti-poverty initiative has focused on capacity-building and infrastructure development (GA 2001-02, p. 93). UNDP projects to promote good governance and capacity-building comprise 28 percent of the agency's expenditures. Projects generally stress policy, regulatory and legal frameworks, and priority has been given to democratization and "political empowerment of the poor through:

- participation and strengthening of civil society organizations;
- strengthening of judicial, electoral and parliamentary systems;
- human rights and the rule of law, with special emphasis on women's legal rights;
- decentralization and strengthening of local governance;

- policies and frameworks for market-based economic transitions, private sector development, and globalization challenges;
- public administration reforms for accountable governance; and
- crisis management and rebuilding government capacities in post-conflict situations, including for reconstruction and rehabilitation" (GA 2001-02, p. 96).

Judicial reform provides an example of the link between governance reform and economic growth. An independent and effective judiciary provides confidence that justice and the rule of law will prevail over corruption. This is not a new issue for the UN. In September of 1985, the Seventh UN Congress on the Prevention of Crime and the Treatment of Offenders successfully outlined the basic principles of the independence of the judiciary and agreed on guidelines for training, impartiality, selection, service, tenure, discipline and removal of judges (UNHCHR website: www.unhchr.ch). Providing an effective judicial system should inspire greater investment from both external and internal sources and create greater opportunities for entrepreneurship and innovation in the economy. These issues have been addressed at a recent United Nations discussion of NEPAD (New Partnership for Africa's Development) held in early October 2003 at UN Headquarters in New York.

Reform of the judicial system and promoting the rule of law will also aid in eliminating corruption. The UN Office for Drug Control and Crime Prevention (UNODC) has established a "Global Programme Against Corruption" (GPAC) to help improve transparency and accountability within governments. The GPAC works with the UN Interregional Crime and Justice Research Institute (UNICRI) and stresses action learning, technical cooperation, and evaluation (UNODC website: www.unodc.org).

Efforts to enhance the environment for investments through improvements in the legal system and efforts to address corruption are also consistent with the Secretary-General's calls for a Global Compact among the United Nations, the business community and developing countries. The Global Compact is based on the assumption that "development, especially for least-developed countries cannot occur through governmental or intergovernmental means alone; neither can it occur through unbridled market forces alone. Creating local, national and international enabling environments is essential, and a broad-based partnership involving all relevant 'stakeholders' is required" (GA 2003-04, p. 168).

Over 700 corporations had joined the agreement as of early 2003. From the UN system it includes the Office of the Secretary-General, the United Nations Development Programme, the United Nations Environmental Programme (UNEP), the Office of the High Commissioner for Human Rights (OHCHR), and the International Labour Organization (ILO) as well as the Bretton Woods institutions (GA 2003-04, pp. 168, 186). But it comes full circle back to good governance with the underlying belief that "people should guide both the state and the market, which need to work together in tandem, with people sufficiently empowered to exert a more effective influence over both" (GA 2003-04, p. 168).

Another means of empowering people is through the electoral process, and the United Nations has become active in this area. In 1992 it established the UN Electoral Assistance division (EAD) under the Department of Political Affairs (DPA). The division "provides logistical and advisory support to international observer groups, facilitates assistance among donor countries and organizes training courses." In recent years assistance has been given to Bolivia, Cambodia, the Central African Republic, Cote D'Ivoire, Mexico, Nigeria, Pakistan, Sierra Leone, Timor Leste, and Yemen (GA 2003-04, p. 54).

The UN itself has recognized that there are other aspects of good governance that may go hand in hand with improvements in national governance among states. One involves the enhancement of the capacity of UN agencies themselves (GA 2001-02, p. 94). During the last decade, the UN has tried to address the issue of coordination through the establishment of new structural arrangements – the creation of the Executive Committees for Peace and Security (ECPS), Political Affairs (ECPA), and Humanitarian

Affairs (ECHA), and the United Nations Development Group. In the area of humanitarian affairs, Secretary-General Boutros Boutros-Ghali established the Department of Humanitarian Affairs (DHA), which was replaced by the Office of Humanitarian Affairs (OCHA) and its Inter-agency Standing Committee (IASC) under Secretary-General Kofi Annan. Both UNDG and the IASC bring together a number of UN funds and programmes, specialized agencies, the International Committee of the Red Cross (ICRC) and representatives of non-governmental organizations (NGOs) to discuss a variety of issues in a more holistic and coordinated fashion. Currently, in order to address the issue of the transition from emergency relief to development, the ECHA and the UNDG have established a Joint Working Group on Transition Issues. All of these reforms represent attempts to improve the governance structure at UN Headquarters, with the goal, *inter alia*, of improving coordination and effectiveness in the field.

A second means of improving governance within the UN system involves finding "new patterns of multilateralism, which integrate relevant stakeholders in effective partnership arrangements" (GA 2001-02, p. 94). Capacity-building, improving infrastructure, enhancing political institutions, promoting a Global Compact, and assisting in elections are significant steps in promoting good governance. These issues are incorporated in long-term planning mechanisms undertaken by United Nations country teams as they develop, in conjunction with national governments, Common Country Assessments (CCAs) and United Nations Development Assistant Frameworks (UNDAFs) in many developing countries. Such plans are based on the assumption that greater coordination among UN agencies and national ownership of the process will provide a more effective approach to long-term development and assist donor countries in determining the levels and priority of multilateral and bi-lateral assistance. However, such approaches also depend on the political will and increased financial support from the international community. Such support has not always been available and member States, donors in particular, need to commit themselves to support these processes. At the same time, donors want to be assured of accountability in the programs they are funding. The tensions between the results-oriented concerns of developing countries and desires for accountability among donors have led to extensive debates in ECOSOC and other fora. Delegates may wish to address these issues along with the specific aspects of UN involvement in promoting good governance itself.

Questions:

1. How can the United Nations enhance good governance without intruding on national sovereignty?
2. What current programs should be strengthened and new programs added?
3. How can coordination within the UN system be made more effective?
4. How can the multi-lateral character of involvement and support be enhanced?
5. How can the UN promote greater political will on the part of all member States to enhance capacity building and good governance?
6. How can the UN generate more financial support for good governance? Should such assistance be bi-lateral or multi-lateral?

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GENETICALLY MODIFIED ORGANISMS

by Elaine Jane D. Medriano

Many people all over the world have died of hunger, and there are others who still suffer. It has been estimated that there are about 800 million chronically hungry people around the world; hundreds of millions of these people are in developing countries that still remain unceasingly hungry.   The advancement of new technologies, such as biotechnologies, in agriculture are most likely to provide for an increasing human population calculated to reach 8,000 million by the year 2020, 6,700 millions of whom will be from developing countries. Today, innovative production and processing methods have modernized many traditional systems and the capacity of the world to produce food products for the growing population has progressed.   These biotechnologies offer responsible ways of enhancing agricultural productivity for now and the future.   People in most countries have utilized many biotechnologies, which they continue to make use of and accommodate. But, it is undeniable that these new technologies could have positive effects in terms of environmental impact and production costs of farmers on one hand and possible risks with regard to food safety and unpredicted environmental hazards on the other.

Research into genetic modification of living organisms have been ongoing since the 1980's.   The significance of the benefits it offers can be appreciated through consideration of the immense progress that has been made in recent years in the field of genetics. Although the subject of Genetically Modified Organisms (or GMOs) in food and agriculture is very controversial, it is also commonly viewed as a tool offering potential benefits to farmers and consumers in the food and agriculture areas and to increase food supplies to alleviate hunger.

As defined by the Cartagena Protocol on Biosafety, genetically modified organisms (GMOs), otherwise referred to as transgenic organisms, are any living organism that possess a novel combination of genetic material obtained through the use of biotechnology. They are the resulting organisms from combining genes from different organisms.

GMOs are most commonly referred to as crop plants created for human consumption with the use of biotechnologies. These plants have been modified to enhance desired traits at a rapid pace using genetic manipulation rather than conventional plant breeding methods. Such traits are pest resistance, herbicide tolerance, disease resistance, cold tolerance, drought tolerance and added nutrition. These traits are favorable, especially to the farmers, because they will cut costs on farming expenditures and eventually yield a higher quantity of food.

According to the International Service for the Acquisition of Agri-biotech Applications (ISAAA), biotechology has been continuously preferred by farmers worldwide; the global area planted with transgenic crops increased from 12 percent (or 15 million acres) in 2002. More than one-fifth of the global crop area of soybeans, corn, cotton and canola acres are now biotech. Five million farmers in 13 countries worldwide chose to plant biotech crops in 2001. This eventually increased to nearly 6 million farmers in 16 different countries by the year 2002, and more than three-fourths of these farmers are resource-poor farmers in developing countries. The United States, Argentina, Canada and China have been the leading growers of biotech crops, other countries are starting to follow suit.

More than one-fourth of the global biotech area was grown in developing countries in 2002. India, Colombia, and Honduras grew biotech crops for the first time; the Philippines approved just recently a variety of biotech corn to be planted. According to the chairman of the ISAAA, biotechnology continues to be the most rapidly adopted technology in agricultural history due to the social and economic benefits

the crops offer farmers and society, particularly those of the resource-poor farmers in developing countries, limiting the time they must spend in the field and helping alleviate poverty.

The risks and benefits of genetically modified organisms must also be carefully thought about. Is it beneficial to the public or hazardous? In 1998, the debate on GMOs started to gain more attention from the public, raising diverse questions on ethical and environmental aspects concerning food and agriculture.

The greatest concern about the development of GMOs in food is on human health. Food consists of different composition and nutritional values that are important to all human beings; some foods cause allergies in some people. Genetic modification may offer opportunities for decreasing or eliminating these allergens that are present in these specific foods, but there are also possibilities that injecting a gene into a plant may cause new allergens and create allergic reactions in allergy-prone human beings. However, genetic modifications, according to recent studies, are being utilized to produce crops that could contribute to solving the problem of vitamin A deficiency, although this is still being debated.

Food safety is also an important portion on the discussion of GMOs. Consumers would want to have the assurance that the genetically modified products that are available in the market are tested, ensured safe for public consumption and monitored to be able to identify possible problems before they appear. Together with this is the question on labeling genetically modified products. Though it is still the subject of ongoing debates among different countries, some governments have already adopted labeling policies. The labeling of genetically modified foods is important, whether it contains genetic or non-genetic food, as consumers still have the right to be informed about the products they are purchasing.

Another concern will be that of the risk to the environment. According to the Food and Agriculture Organization Ethics Series, the environmental impacts of GMOs can be either ecological or genetic. These impacts may include: unintended effects on the dynamics of populations in the receiving environment as a result of impacts on non-target species, which may occur directly by predation or competition, or indirectly by changes in land use or farming practices; unintended effects on biogeochemistry, especially through impacts on soil microbial populations that regulate the flow of nitrogen, phosphorus and other essential elements; and the transfer of inserted genetic material to other domesticated or native populations, generally known as gene flow, through pollination, mixed mating, dispersal or microbial transfer.

Patenting also comes into the discussion of GMOs and has raised some of the greatest controversies. To claim a genetic sequence as a human invention is inappropriate, for one can claim to have invented a living thing. It also concerns the fact that biotechnology is seen by some to "interfere with the workings of nature and creation," and that it might involve risk-taking commercial profit.

Governments around the world are hard at work to establish a regulatory process to monitor the effects of genetically modified products. Different governments respond in a different ways, depending on their political, social and economic conditions.

Ethical norms and codes and safety guidelines embodied in international declarations, protocols or conventions are now being recognized by most countries. Some of these are as follows: The Cartagena Protocol on Biosafety, which 50 countries (as of 4 April 2003), ratified and entered into force on 11 September 2003. Its purpose is to establish a fair and transparent system for international trade in genetically modified organisms. The Joint FAO – WHO Codex Alimentarius Commission is also a principal forum in which the food and safety aspects of GMOs are addressed. Its main purpose is protecting health of the consumers and ensuring fair trade practices in the food trade and promoting

coordination of all food standards work undertaken by international, governmental, and non-governmental organizations.

Conclusion

The ongoing debate on various issues concerning genetically modified organisms poses many challenges for governments, especially in the areas of safety testing, regulation, international policy, and food labeling. Issues associated with GMOs cannot be ignored because such a technology offers immense potential benefits as well as risks. It must also be realized that there is a need to inform the public about GMOs for there is relatively little information available to the general public.

Questions:

1. How can genetically modified foods be regulated? What would be the role of the government in regulating these GM foods in their respective countries?
2. How important is public information on the debate on GMOs?
3. Do GMOs really offer a solution to world hunger?
4. What are the other steps needed to be taken to assure the public about the safety of GMOs?
5. What effect will genetically modified crops have on the people of the world's poorest countries?

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Food Security

by Ainnoose Queen Francisco-Era

Food security, according to the World Food Summit plan of action (1996), exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. This involves four conditions: (i) adequacy of food supply or availability; (ii) stability of supply, without fluctuations or shortages from season to season or from year to year; (iii) accessibility to food or affordability; and (iv) quality and safety of food. (World Food Summit plan of action. 1996).

These four conditions and the challenges that they encompass will serve as issue points that are highly relevant and important to find solutions to. However, before elaborating on the some of these conditions, it is also important to stress that the first phase in facing the reality of food insecurity is to recognize that poverty is the main reason food insecurity exists. Although other reasons like war, economic embargos and natural disasters have the same affect, poverty leads as the main cause. With the lack of access of some countries to adequate and safe, let alone nutritious food, it is no wonder that today some 800 million people in developing countries - about 20 percent of their total population - are chronically undernourished. With a growing world population - the present figure of 5.7 billion is expected to rise to 8.3 billion by the year 2025 (Food and Agriculture Organization), the situation will get worse if well-defined plans are not acted upon.

In retrospect, the goal of the World Food Summit in 1996 elaborated that attacking and eliminating poverty eventually leading to food security would require that all people move on to political commitments and concrete actions rather than mere rhetoric. However, the first issue at hand is how well have these concrete actions been carried out? Have they produced results? It has been many years since these actions were planned, yet food insecurity is still rampant, if not increasing. Moreover, the global production of food has increased, meaning that the world has ample food, yet many are still suffering from chronic hunger. Although the dramatic increase in population has served as reason for why there is not enough food in the world, global food production has outgrown the world's population, meaning that there should be ample food for everybody. Thus, the second issue at hand would be the equity of food distribution.

However, with the establishment of the Special Programme for Food Security (SPFS) in 1994, the World Food Summit in 1996, and the launch of the anti-hunger campaign, many governments have been implementing the plans of action from the said programmes. The emphasis of these programmes on small scale farmers have actually been looked on with a skeptical lens, yet these are the people who are in most need of the programmes and their output would produce a positive and bountiful effect on food security.

The adequacy of the food supply or the availability and stability of supply, without fluctuations or shortages from season to season, depends on the agricultural sector; however, the context of today's world requires a complex arrangement. The complexity now lies in the fact that the technological environment that helps produce sustainable agricultural production puts a strain on farmers who have to meet new demands on their knowledge, information and skills. This would necessitate training or even a higher level of education; however, all of these things would need funding. The question is where would the funding for these come from? Moreover, farmers in developing countries would have even less access to finances, which is why they would not be

able to compete with other technological-based agricultural sectors, therefore creating less food production for developing countries.

The quality and safety of food relies on the food safety standards and on those who actually prepare the food. Food safety relies heavily on National food legislation that should encompass food control through up-to-date food laws. Moreover, countries that have implemented such food laws will be able to assure high-quality products, thereby benefiting from the international market more than those who have not. This puts pressure on governments to provide clear and concise. yet simple, food laws to be able to ensure safety to food consumers.

Lastly, the contribution of rural women to food production, food security and overall welfare of the household is recognized to be of great importance. Thus, FAO promotes gender equity in light of food security. The emphasis exists mainly within the scope of household food security and family welfare. The role of women in this context is like that of the dietician, wherein she makes sure that each person in the family obtains the proper and right amount of nutrition; she is the one who prepares the food and usually serves it. However, the woman must make sure that the food she serves is safe to eat and properly cooked. The emphasis on the household duties of a woman does not cover the fact that she too works on the farm, helping in the production of food products. Women in sub-Saharan Africa or the Caribbean produce 60-80 percent of basic foodstuffs while in Asia they perform 50 percent of the labor of rice cultivation. Rural women, therefore, contribute greatly to food security in the domestic and public sphere. The question arises as to how to make sure she is given the right information, tools, participation and protection.

Conclusion

The right to food is a fundamental human right, yet millions of people in the world suffer from chronic hunger everyday. Food security has been a priority on the agenda of FAO since the 1990s. This led to the establishment of the Special Programme for Food Security, the World Food Summit, and anti-hunger campaign, yet with all their accomplishments, millions of people are still suffering from chronic hunger. The issue of food security must once again be a priority on the agenda, since its remains highly relevant, yet unresolved today.

Questions:

1. Would increasing food production answer the problem of food security?
2. How can food productivity be increased? What methods would be used?
3. How can technology be provided to small-scale farmers who have no capital?
4. Who will fund the major costs of stabilizing the agricultural supplies, especially in developing countries?
5. How will the environment be affected if technological-based agriculture is used?
6. What policies can be institutionalized to promote the advancement of rural women in various aspects of decision-making and participation?

Antibiotics and The Food Chain

by Ensha A. Ancheta

Food, needless to say, like air, spells life and sustenance for every living organism. As a matter of human course, it has been taken up in trade, allowing food products a wide range of distribution. As societies have developed, so has the manner of trading and market demands. Volumes of produce are required to cope with these demands. Add to that the traders' desire to optimize profits by increased production at lower production costs. The best way to achieve this is through advanced scientific research. Breakthroughs in the scientific realm enable traders' dreams and consumers' demands to come true.

One of these important discoveries would be that of Antibiotics. Antibiotics have proven to be very helpful to human and animal health, and also to agriculture and food production. However, this scientific breakthrough came with a warning as soon as it came out in the market[1]: the possibility of resistant bacteria strains emergence, may result in a wide range of possible dangers to human health. In the long run, their excessive use has put human health in question.

When reports came that bacteria have mutated and resisted some antibiotics, the European Union and developed countries immediately expedited a whole series of investigation and prompt counter measures to contain the crisis. At the moment, war is still being waged, if not to eliminate, at least to repress the case to a manageable level. It is not certain, however, to what extent controls can contain the issue within national borders. Globalization made trading across borders inevitably more fluid.

Since this is a global concern, developing countries are expected to engage in the same endeavors as developed countries. After all, bacteria and epidemics know no boundaries, race, culture or gender. Much as they may want to address the issue, at the moment the developing countries have their hands full addressing their own food security; they tend not to give full attention to the issue. Nor are they capable of providing the right environment and resources for the changes expected.

Globalization has made an inextricable connection between peoples and borders; previous "domestic concerns" are now in danger of spilling over to neighboring countries, and, eventually, will have significant repercussions for the rest of the world.

This only shows that developed countries' economic policies cannot continue to remain indifferent to the needs and welfare of the rest of the world. Trade has it consequences. In the end, the effects create a ripple that eventually returns to the source. The "survival of the fittest" game cannot work well in this intricate web of relations. Both developed and developing nations need to work together on certain issues to find a solution.

The developed countries must provide necessary aid and tools to developing countries for the prevention and eventual eradication of the antibiotic resistant bacteria (ARB) crisis, as they have for themselves. They also must cease introducing harmful technologies and be more prudent and responsible in using and releasing these. The developing countries in return, are expected to make commitments to address the issue(s) in the spirit of cooperation.

Organizations such as the Food and Agricultural Organization (FAO), in cooperation with the World Health Organization (WHO) and the European Union (EU), with active participation from its members, have devised such measures aiming to bring a holistic approach to each problem related to food and health. Although we are looking at one specific issue, globalization and international organizations encourage us to see matters from the lens of a more holistic perspective.

Below is a view of the issue on Antibiotics and the Food Chain. Discussion centers on the antibiotic-resistant reaction of bacteria in the regular use of antibiotics and its effects through the human food chain. An illustration of effective countermeasures employed by the European Union, and in some parts by the US, is also provided, as well as FAO and WHO responses to the issue.

I. Antibiotics

Uses

The use of antibiotics can be classified into two types: *therapeutic and non-therapeutic*[2]. Therapeutically, antibiotics are commonly used either as human or animal medicine for a wide range of illnesses caused by bacterial infections.

Non-therapeutic antibiotics cover food production and preservation, from animals to plants. Exploration of its agricultural use has proven to be very beneficial to market producers.

Benefits

Humans. What used to be a plague in the early 1900s is now curable with antibiotics, since their production began in the 1940s. It is for this reason that they are labeled as the Wonder Drugs of the Century. Antibiotics have mainly been responsible for the decrease of rates of infectious diseases such as tuberculosis and pneumonia. They also figured significantly in the reshaping of syphilis and gonorrhea treatment. They have aided in the curing of meningitis for children, ensured recovery of burn victims (while they are healing), in addition to curing all other common illnesses caused by bacterial infection[3]. They have played a significant role in the health of human kind, and will continue to do so in the future.

Animals. Aside from the therapeutic benefits of antibiotics, they also work as growth promoters for animals. The administering of small regular doses of antibiotics to animal feed results in faster growth rates through better absorption of nutrients in the intestines. They also prevent contraction of diseases, common to animals housed in cramped spaces. Antibiotics have meant healthy animals and big savings for farm producers in terms of feeds and space (housing). They also have beneficial effects in prolonging fish-shelf life by the use of antibiotic ice as a preservative.[4]

Plants. Even plants have shown positive reactions to antibiotics, as a recent Canadian discovery reports. Antibiotics in rice production resulted in an increase in the length of rice stalks in roots, and elongation of the rice grain itself (a).

II. Food Chain

The human food chain, as FAO would describe it, is comprised of food producers, processors, and traders. More specifically, the chain starts with the producers (farmers/fishermen), slaughterhouse operators, food processors, transport operators, the distributors (retailers/wholesalers), and lastly, the consumers.

The Food Chain approach to global food safety issues is a framework the FAO Committees on Agriculture and World Food Security intend to use for global food safety and quality. It also is a response to fast paced changes technology brings. Alongside this is an integrated preventive approach in consonance with global commitments to Agenda 21.

Through the Food Chain framework, FAO ensures that food safety and quality is to be delivered and that *responsibility is shared by all the players in the food chain*. The FAO Food and Nutrition Division (ESNS) works mainly to provide scientific assessment (risk assessment, capacity building, technological assistance) to all partnerships and endeavors undertaken by the Organization. With the WHO, FAO has set up a joint Food Standards Programme (b), spearheading expert meetings, and has come up with the Codex Alimentarius Commission (CAC).[5]

III. The Issues

Antibiotics for Humans: Over-prescription and the Market Demand for Cheaper Produce

Humans are facing this antibiotics dilemma on two fronts: the way they misuse antibiotics on themselves, and the antibiotics acquired from the food they eat. Humans have so much trust and confidence in antibiotics that a US report shows that one-third of antibiotics consumed are not intended for illnesses the consumed antibiotics are designed for. Doctors themselves have over-prescribed use of antibiotics.

Demands for cheaper meat products in developed nations and the principles of economics called for producers to find means and ways to address the issue. Antibiotics afforded producers greater yields at lower costs, however, again with a danger of putting human health at risk.

Antibiotics for Animals: Greater Production Yields and Over-prescription

Big savings on feeds and more animals in less space equal big profits and more producer dependence on antibiotics. However, knowing the nature and characteristic of bacteria, the effort to phase-out their kind only meant mutation of the defensive or resistant kind, and their eventual proliferation. Animals that may need medicinal cures for illnesses may not react to antibiotics anymore as has proven to be the case with penicillin in relation to staphylococcus in humans.

A bigger part of the issue is the across-species transfer of resistant bacteria through the human food chain. Although it has been true that animal bacteria do not survive in humans, and that antibiotics concentrate in animal gut, which is taken away before it is delivered to the market, recent cases reported below put this into question.

Veterinarians, like doctors, have over-prescribed antibiotics to animals.

Antibiotic Resistant Bacteria

As they have existed and survived for billions of years before us, it seems unlikely that human beings will outlive bacteria. Bacteria have developed an "ability to swap genes"[6], making the monitoring of their development impossible. This is explained through the Natural Selection Process, as Dr. Lieberman of the US Center for Science in Public Interest would explain, which plays a key role in its development of antibiotic resistance[7]. Those surviving in the wiping out process mutate to resist antibiotics in order to survive and then proliferate. Bacteria also share or transfer genes with other bacteria by an exchange of loops of DNA or plasmids, and to those that never have been exposed to antibiotics, thereby increasing the types of bacteria that are resistant to antibiotics.

Cases of Human Bacteria Resistance to Antibiotics

Outbreaks in the West have resurrected the Antibiotic Resistant Bacteria issue. Pro-Antibiotic use groups contend that there is no danger for antibiotics' transfer across species. It is a fact that antibiotics used for humans are not used for animals and vice versa.

Contrary to this, the EU has effectively banned 4 antibiotics found similar enough to those used as human medicine[8], for reasons shown below.

One Danish farmer was found to be infected with the same antibiotic resistant bacteria as his chickens. In Denmark, seven people fell ill, one of whom died, due to salmonella traced to pork.

One incident in the UK involving food poisoning to 13 elderly people who had shared a turkey showed that five were infected by a "bug" resistant to antibiotics. One of them died. It was found that antibiotics used widely in turkey flocks have an antibiotic relative used in human medicine.

Further, in the US, staphylococcus infecting two patients resisted prescribed antibiotics.

Staphylococcus bacteria, said to cause heart valve, skin, blood, and bone infections, has been found in hospitals. It has already developed bacteria resistant to what used to be an effective antibiotic, vancomycin[10],

A new antibiotic, called Synercid, already has found an ARB match found in turkeys regularly fed virginiamycin. The same strain has been detected in humans, even though they have not yet been approved for human use[9].

IV. Responses : FAO, WHO and the EU

Item 5 of the Provisional Agenda of the Committee on Agriculture of FAO, in the recently concluded Seventeenth Session in Rome last 31 March – 4 April 2003, discusses "FAO's Food Strategy for a Food Chain Approach to Food Safety and Quality" as a "framework document for the development of future strategic direction."

This approach intends to viably respond to consumer demands by producing more environmental, economical, and nutritional food, becoming more of a preventive, rather than reactive, type of dealing with food matters[11].

It recognizes and outlines specific hazards brought by unsafe food, and that "all people have a right to safe food whatever the level of their effective demand for it", as stated in the Rome Declaration on World Food Security (1996) (c).

As noted above, the EU banned four widely used antibiotics for non-therapeutic purposes, and is due to ban 2 more.

Reports at the FAO show Sweden and Denmark initiatives banning the use of antibiotics, with the effective help of national legislation. These countries have extensively researched alternatives and made big investments to adjust to the withdrawal of non-therapeutic antibiotics in their agriculture industry. Their efforts have proven that non-antibiotic farming can yield the same returns as that with antibiotics[12].

The United Kingdom is in the process of following suit. Its third biggest chicken producer, Grampian Country Food, Inc., assured consumes of no price changes (d).

US consumers have actively been promoting a ban of antibiotics for non-therapeutic use, as represented by various groups. The biggest fast-food chain, McDonald's supports this move by requiring its suppliers to provide antibiotic-free produce.

V. Conclusion and Recommendations

Recent research by Danish Veterinarian Henrik Wegener concluded that resistant "bacteria only occurred in humans who ate meat from animals and birds regularly fed growth promoters"[13].

A Guardian report also says that humans who "eat" antibiotics will be immune to the positive effects of medicinal antibiotics. It also feared that there will be an emergence of "superbugs" which mutate to survive even conventional antibiotic treatments. This would mean potential disappearance of cures even to common illnesses such as ear infection. In reality, pneumonia, tuberculosis and ear infection patients are prescribed 3-4 antibiotics before finding the right cure.

The ever-evolving human food chain and demand for food will inevitably spread these antibiotic resistant bacteria across the globe if not prevented. Imprudent use of antibiotics, although one small component, endanger the human food chain and human health. The human race cannot afford to lose this war.

We have seen how FAO and WHO worked to protect and secure the food chain in safety and quality and have provided technical and normative measures to support this. Vital questions have been answered by FAO in regard to the sensitivity to capacities and capabilities of developing nations to respond, as the document from the seventeenth session of the Commission of Agriculture would show.

But that is not all that matters in this issue. The widespread banning of antibiotics creates a chain reaction from the human issue to the environment to economics to politics. We should be able to see the issue from different angles and present all of the possible risks banning poses to other facets of human reality. Then we can effectively propose a truly holistic approach to the issue.

Aside from the biological concern, a shift of target market of antibiotics is foreseen from the North to the South. Loss of big markets will create a great impact on the economic front of the US. For one, we can see how this will affect trade in the North. Major US drug companies, such as Pfizer and Eli & Lilly Co., stand to lose billions of dollars in the European banning process.

The south is a most viable target market for (1) as of now, it is only slightly aware, if not unaware altogether, of the antibiotic resistant bacteria and (2) even if awareness becomes widespread, it is not certain whether producers are strong-willed enough, or legislation is powerful enough, to take the risk of resisting the temptation of big profits.

What developing countries must think is that Globalization inevitably will link back the effects to its own source. When the plague or disasters arise, the North cannot deny the responsibility for its actions, nor isolate itself. It will be caught in the same quagmire it has brought other nations to. Developing nations, on the other hand, stand to lose not only themselves, but the rest of the world, if they maintain complacency. They may claim not to have the resources to keep abreast of the North's innovative technology, but this should not be an excuse for them to fail to provide alternatives to the issue.

Man has once again displayed how greed, mindlessness, recklessness, and indifference can be self-destructive. One article has described the discovery of antibiotics as a crown jewel put into great misuse. This is not very different from how we treat the environment and our fellow human beings. This is a microcosm of bigger issues of human rights and international relations.

Although this may just be one particular issue in the global food issue, it has great bearing on the over-all well being of humankind. Antibiotics have continuously proven that they are a potent solution to health problems human kind encounters. They may have proven to be highly useful in the agricultural field, but their use must be weighed against the benefits or disadvantages to human kind. Which must be sacrificed? Sacrificing agricultural use of antibiotics will not place agriculture in the losing end. As was previously mentioned, European countries' experiences are living proof of this.

A worldwide call, together with other issues of equal importance, must be engaged in, to enlighten humankind to the dangers of greed and carelessness it is bringing upon itself through reckless and imprudent use of resources.

The Food Chain Approach most viably supports the efforts of FAO and related agencies. As ARBs are at the source of the food chain, we must endeavor to keep authorities across the globe informed of this development. We must also maintain our anticipatory and vigilant positions before plagues overtake us.

As delegates to FAO, we need to ask questions beyond what is presented before us and pose further questions to assure that welfare for all is achieved on this issue.

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Questions:

1. Is the standardized procedure jointly formulated by WHO and FAO, indeed "standard" and applicable to most or all nations? Does it give nations freedom to work around their own standards to address issues according to their particular set-up? Does the same apply with regard to the standards set by the Codex Alimentarius Commission (CAC)?
2. It will be observed that no mention of reports on ARB from developing countries was made. Does this mean that antibiotic resistance of bacteria is a case relevant exclusively to developed countries only?
3. What possible variation of this crisis or other biological or related problems yet unseen, do developing nations face, given that they are ill-equipped, in terms of information and technology, to deal with such issues?
4. How do we prepare developing countries, given that they are less equipped and more susceptible to this risk, once crisis enters their borders?
5. Prevention of the proliferation of antibiotic resistant bacteria entails infrastructure change and major investments. If governments cannot provide or subsidize projects, or international aid cannot sustain these changes, what alternatives can be applied given the capacity and existing resources of developing nations?
6. There is a wide-range banning of antibiotics for non-therapeutic uses in antibiotic's largest markets in the world, and market shifts are seen as moving towards developing nations. Given that developing nations are not sufficiently aware of the antibiotic resistant bacteria dilemma, coupled with their economic problems, making them better market targets, how do we prevent pharmaceutical companies from marketing antibiotics from developed to developing countries?
7. How do we find alternatives to replace the utility provided by antibiotics in non-therapeutic situations if they are banned?

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Water Security

by Dong Choi

Introduction

Water is vital in all aspects of life. Whether for the purpose of consumption, sanitation or industry, a safe water source can make the difference between sustainable development or human suffering. Currently, 1.1 billion people do not have access to a safe water supply, and 2.4 billion do not have access to adequate sanitation. People in the 50 most underdeveloped countries must meet all their water and sanitation needs with an average of 30 liters of water per day – far less than the 50 liters per day the UN deems the absolute minimum. Incredibly, there are some who must live with an average of less than 10 liters per day.

Water is becoming a scarce commodity, especially for those economies centered on agriculture. Consequently, securing a stable source of water has had tremendous political implications. Even in the developed states of Europe ten countries receive almost half of their total water resources from neighboring countries. Five others, with large rivers, receive more than three quarters of their water from river flows from upstream countries. This growing trend of regional dependency has created political tension among many European countries and ultimately led to the launch of the Second International Conference on the Sustainable Management of Transboundary Waters in Europe in 2002.

Problem

One of the main concerns regarding water security is providing a dependable supply of clean water. Traditionally, in areas where water is readily available, any source of water – local ponds, rivers, springs, wells – is used arbitrarily with little long-term perspective. Consequently, the lack of knowledge regarding water sanitation in underdeveloped countries has seriously threatened their health and survival. In 1993, for example, Mozambique's unsafe water and poor sanitation was killing almost 55 children every day from diarrhea. Mozambique also has the highest child mortality rate in the world: 246 out of every 1000 births die within their first five years. Thirteen percent of these deaths are directly attributable to the lack of clean water and proper sanitation or poor hygiene practices. In general, children seem to be the most susceptible to poor sanitation because of their adolescent immune system. Children who live in unsanitary conditions, or who drink dirty water are sick more often and have a great risk of dying before the age of five.

Solution

Recognizing these large obstacles, numerous international, national and local institutions have begun a movement to put the water crisis on the top of the international agenda. One of the most influential advocates of water security is the United Nations – and more specifically UNICEF. Manifested through the Millennium Development Goals, the UN and UNICEF have become the most significant crusader in alleviating water emergencies. Under Article 196 of the Millennium Declaration, the United Nations hopes to "halve the proportion of the people who are unable to reach or to afford safe drinking water" by 2015. To this end, UNICEF has been very successful worldwide in combating water scarcity. In recent problem spots like Afghanistan, Iraq and Iran, UNICEF has played a very key role in improving not only water availability, but meeting humanitarian needs in general. More specifically, in Mozambique, where water scarcity is epidemic, UNICEF played a vital role in restoring clean drinking water, increasing the

availability of water and improving sanitation. In Mozambique alone, UNICEF will have spent $15.9 million towards reducing the number of infant deaths and shrinking the amount of time used to find clean water. Another past example of UNICEF's success can be found in India where UNICEF, NGOs, the private sector and the Indian government were able to supply more than 300 drilling rigs to rural Indian communities. In doing so, UNICEF, and its partners, provided a secure water supply to almost 600,000 Indian villages – amounting to well over four-fifths of India's population.

Through the process of trial and error, UNICEF has recognized several approaches, which may minimize, or better yet eliminate, threats to water security. The approaches are:

- o *Education*

In India, UNICEF has long supported a program called Information, Education and Communication (IEC) to promote better hygiene among the Indian population. Through the means of mass media (pamphlets, posters, videos), person-to-person visits, and community forums, IEC was successfully able to increase community participation in local water security issues. Using this approach on a global scale will enlighten local communities around the world on water concerns, build awareness and promote responsible water use. Educating local communities will also decrease their dependency on foreign assistance, making them more self-sustainable. This not only helps the host country, but also the international community by freeing funds to be utilized for other humanitarian concerns.

- o *Partnerships*

Building close and long-term relationships has benefited UNICEF tremendously. Partnerships with local NGOs and businesses not only provides credibility among the local community members, but also creates access to local resources which otherwise would not have been afforded. These partnerships are efficient, so maximum results are always expected. Thus, partnerships should be based on building on each other's capabilities, strengths and comparative advantages to have the greatest impact. However, for this to take place, efforts by both parties should be closely coordinated to be ultimately advantageous for each participant. In the India example, where partnerships were instrumental, every contributing member would reap some benefit – if not, no one would participate in the efforts. The private sector, for example, offers monetary contributions because of the economic incentives that it hopes will result – a healthy and growing workforce leading to economic stimulation.

- o *Technology*

While present technology has proven to be very beneficial, new technological innovations are needed to accompany the changing times. For example, researchers are searching for technological advancements on the molecular level where crops can be made to be more resistant to pests and droughts. This would decrease chances of famine and provide more water for human use. Additionally, it is most important that new technologies be suited to local conditions. For example, making water pumps user friendly and less expensive may increase the number of people taking advantage of these technologies.

Conclusion

While there have been many advancements in water security, there is still a long road ahead. Just as one village is provided with clean water, another is plagued with water scarcity. Relentlessly,

the partnerships between international, national and local organizations have loudly voiced the need for water security. The involvement of these humanitarian organizations is essential, and in many ways success depends on them. Nevertheless, there are other elements that may become an obstacle. First, and foremost, is the issue of funding. The resources required for such projects are substantial and not easy to come by – for this reason, investment by the private sector is essential. Another hurdle could be the geography of the region, which my naturally fashion water scarcity. In the desert climates of Middle-East, Asia and sub-Saharan Africa new innovative methods to gain easier access to underground water would be ideal. In short, while many obstacles do stand in the way, unity within the international community can alleviate water scarcity.

Questions:

1. As the leading advocate for water security what new and innovative policies can the UN implement to combat water issues?

2. Developed countries are starting to face the realities of water scarcity. What role should they play?

3. What are other obstacles to water security and the methods to resolving them?

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Greater Participation of NGOs in the UN System

by David Hall

History of UN-NGO Relations and Interaction

The existence of non-governmental organization (NGO) involvement in UN activities has been in order since the inception of the United Nations. The introduction of NGO influence upon the United Nations appeared during the creation of the UN Charter. In an effort to build popular support for the fledgling world body, the United States included a considerable number of NGO leaders in their delegation team. The outcome of the inclusion of these NGO leaders can be seen directly within the 71st article of the United Nations Charter – whereby it advocates [1]:

> *The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.*

Thus Article 71 of the UN Charter provided for NGO interaction with and influence on the UN. The eventual realization of Article 71 occurred during ECOSOC's tenth session through Resolution 288B, which set up a system for NGO categorization and recognition. This definition of NGO involvement within the UN was later refined in 1968 with Resolution 1296 and exists today through a review of NGO relations set out in resolution 1996/31.

Another important step in the expansion of NGO growth and influence developed through the conception of CONGO (Conference of Non-Governmental Organizations in Consultative Status with the Economic and Social Council). CONGO, founded in 1948, was introduced primarily to ensure the active involvement of civil society, another term for NGOs, within the UN legislative process and to better facilitate dialogue and information sharing between the UN and NGOs. Common UN-CONGO objectives regarding social, humanitarian, and educational advancement have pushed the developmental envelope though numerous world summits during the last four decades. A prominent rise in NGO influence began in the year 1972, during the United Nations Conference on the Human Environment. This conference attracted droves of new NGOs, formerly not associated with the UN. So successful was this conference, and the impact of NGOs so notable that it inspired a enormous further development of NGO involvement with the United Nations throughout the seventies, eighties, and nineties.

While CONGO and its various NGOs celebrate successful involvement in the UN legislative process, specifically contribution in 1984 – 1985 during the African Famine and during the UN Women's Conference in Nairobi, as well as high involvement in a number of world conferences in the nineties, the 1992 United Nations Conference on Environment and Development in Rio de Janeiro is seen in some circles as major turning point for NGO involvement and influence in the United Nations. The UNCED conference marked a point of particular support from member countries and the UN as a whole for NGO involvement and information sharing. Thus, NGOs played an eminent role in helping to implement the agenda objectives of the UNCED conference [2].

Current Status of UN-NGO Relations and Interaction

In light of the success of NGO involvement in the UNCED conference during 1992, as well as a general increase in the amount of NGO activity within the United Nations, a call to update and revise Resolution 1296 arose during February of 1993. Following resolution 1993/214, a working group comprised of ECOSOC member states developed resolution 1996/31, which is the current basis for relations between NGOs and the United Nations. The resolution called for the advancement of UN-NGO relations and re-organized the NGO consultative process. Following resolution 1996/31, NGOs are divided into three consultative status categories: general status, special status, and "inclusion on the roster." General consultative status is given to international NGOs of considerable size whose broad-based organization covers the majority of issues within the ECOSOC agenda. These non-governmental organizations are typically invited to more United Nations conferences and world summits and hold more clout within the legislative process. Special consultative status is given to organizations contributing to some areas of ECOSOC interest. And finally, "inclusion on the roster" status is given to those organizations that occasionally contribute to the ECOSOC agenda [2].

Resolutions A/55/2 on the Millennium Declaration, and its successor, resolution A/55/162 further the call for an advancement of UN-NGO relations and cooperation throughout legislative deliberations. However, while both the 1996/31 and the Millennium Declaration resolutions call for such advancement, relations between NGOs and the United Nations have been both highly successful and incredibly frustrating [3]. NGOs continue to provide substantial input to world summit meetings and receive an increasing number of invitations to various committees. The development of the United Nations website and member state websites dramatically increased the convenience of NGO information gathering. Prior to the UN website, NGOs were required to obtain information in printed form from United Nations facilities. The broad and useful nature of the UN website has also helped the development of newer and less-privileged NGOs who can't afford UN informational access fees [3].

A number of setbacks have hindered the development of UN-NGO relations. The problems revolve around lack of inclusion in the legislative process, various financial issues, and issues stemming from the Secretariat. Following resolution 1996/31, expectations arose among the community of NGOs that consultation rights with the General Assembly were at hand. Contrary to expectations, these rights were not granted, with a number of member states criticizing the lack of restrictions placed upon NGOs [3]. Further changes in policy have continued to frustrate NGOs in recent years. One of the largest factors in how adequately NGOs can develop policy is access to UN information. While the improvement and enlargement of the UN website over the last few years has been instrumental in helping the advancement of NGOs, the UN website only holds 15% of all documents. Therefore, when needed information is not available online, NGOs must navigate the Optical Disk System, which provides all UN documents in Arabic, Chinese, English, French, Russian, and Spanish. Access fees to the ODS system are available at an annual discounted rate of $1,250, a charge sometimes difficult for many NGOs to meet [4]. Other concerns of NGO members are the lack of codified regulations designed to help facilitate use of UN facilities, as well as restrictions on NGO interaction with various committees.

In response to growing concerns and frustrations regarding NGO involvement in the UN and its facilities, as well as disparities within the NGO communities themselves, Secretary-General Kofi Annan commented on the need to bring non-governmental and non-state agencies together into a more inclusive and capable UN. In his report on "Strengthening the United Nations: An Agenda for Further Change," he announced the formation of the Panel of Eminent Persons on United Nations Relations with Civil Society [5]. The panel, headed by former Brazilian President Fernando Henrique Cardoso, first met during early June of 2003 and was to meet once more on 3

December, 2003, and again in mid-February 2004. The agenda topics on which the panel is to deliberate consist of traditional questions, such as how civil society can better cooperate with the United Nations, and also issues of how to improve overall relations and push for the development of "southern and grassroots" NGOs. Conclusions of the first panel meeting concentrated on "consultation strategy" – how to better involve less fortunate and under-funded NGOs in consultation opportunities and possible uses of the UN website for electronic consultation [6].

Many hopes exist for the future of NGO involvement in the United Nations, especially with the recent focus on re-organizing and codifying how civil society can interact and cooperate with the United Nations. Perhaps finally the full realization of the proper role for UN-NGO interaction can be finalized. Still, many questions remain.

Questions:

What sort of long term goal and relationship should various non-governmental organizations and the United Nations share?

Should NGOS have direct access to the General Assembly?

In what ways can the information sharing process be made less burdensome on the UN, both logistically and financially?

How can southern NGOs of lesser economic standing be included more into the legislative consultation process?

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Cultural Preservation and Protection

by Leslie Rivera

Culture has become an important aspect in the twentieth century as it has undergone a series of changes. This has been driven by what many term the "exploitation" of culture and its products such as film, radio, television. Through the experience of culture, we can begin to understand our everyday encounters, hopes, desires, and fears as well as to build identity, humanity, and community. It allows us to communicate our ideas, feelings, insights and to learn and develop as people. However while it enables us to understand ourselves, cultural heritage is one of the keys to understanding others. In the context of instantaneous planetary communication and globalization, there is a genuine risk of standardization of culture. As a result, cultural preservation and protection has become an important focus, especially in recent years. Although the topic is broad, it has important roots in intellectual property rights, indigenous people, handicrafts, oral traditions, languages, festive events, rites and beliefs, music and song, the performing arts, literature, traditional sports and games, and culinary traditions.

The problem of looting and trading of cultural property has always been of great significance; however it has been more frequently observed with the passing of time. Ever since the 1970's, the degradation of archaeological resources from the looting of sites, theft of artifacts, and illicit international trade in antiquities has become an increasing concern worldwide. Specifically, in 1991, the events during the Gulf War generated increased awareness of the vulnerability of Middle Eastern archeological resources. This included archaeological sites, archaeological collections, records, and reports. The most recent event that concerns the international community with respect to this issue is the looting of the National Museum of Baghdad, Iraq in 2003. Hundreds of cultural artifacts that belonged to Sumerians, Babylonians, and Akkadians were stolen from the museum. The intention was for these resources to be used for the benefit of all people, not to be treated as a commodity to be exploited for private enjoyment or profit. Archaeological and cultural resources are nonrenewable, each containing unique information about the human past. The loss of these resources of the world's cultural heritage can never be recovered.

In 1972, the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention concerning the Protection of the World Cultural and Natural Heritage was created in response to the growing concern about the state of our world's cultural and natural heritage. The international community has the responsibility to co-operate for the protection of the sites inscribed on the World Heritage List. This includes sites such as the Pyramids of Egypt and the Galapagos Islands in Ecuador. The cultural background is not only an essential part of a nation's identity, but these cultural properties are also critical proponents in encouraging and maintaining a tourist economy.

Warfare threatens the cultural heritage in many parts of the world. The UN has urged all governments to adhere to the terms of the "Convention for the Protection of Cultural Property in the Event of Armed Conflict" as created at the Hague Convention in 1954 after massive destruction of cultural heritage was experienced in the Second World War. The convention covers immovable and movables, including monuments of architecture, art or history, archaeological sites, works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections of all kinds. Essential to this document is the idea that protection is in place not only during times of hostilities, but also in times of peace. As of March 2003, 105 States are party to this convention. There have been many resolutions and declarations aimed at promoting the protection and preservation of cultural rights including the 1966 Declaration of the Principles of International Cultural Co-operation, the Convention Concerning the Protection for the World Cultural and Natural Heritage in 1972, and the UN International Year for Tolerance in 1995. Currently, the draft declaration prepared by the Permanent Forum on Indigenous Issues in April 2000 is under review by the Commission on Human Rights. This declaration

would provide indigenous peoples the right of self-determination to freely pursue their economic, social, and cultural development.

The United States Department of State is currently helping 51 countries around the world to preserve historic sites and manuscripts, museum collections, and traditional forms of music, dance and language via the Ambassador's Fund for Cultural Preservation, which was established in 2001. They have helped preserve traditional folk songs of the Tay ethnic minority in Vietnam, restore the Afgan shrine mosque and gardens dedicated to the Mogul Emperor Babur, and promote the preservation of the ancient African and Islamic manuscripts in countries along Africa's Ink Road.

One of the best solutions to this worldwide problem is to increase awareness among the general public with respect to the cultural liabilities incurred by improper treatment of archaeological and cultural heritages. By holding seminars and conferences on national heritage specifically designed for youth, especially in developing countries, we can educate future generations. This would encourage youth in developing nations to protect and be aware of the cultural heritage around them. Another means is through audio and film recordings of stories, songs and language and through cultural mapping of traditional and sacred sites in order to preserve indigenous communities traditional knowledge. This can best be done through partnership among governments, archeologists, and developers to make and execute proper plans to preserve and protect the world's cultural heritage from unnecessary destruction through development. Many countries have already expressed this commitment towards their citizens by adopting regulations to protect their historic heritage and encourage the development of their living culture in its various forms.

While development and globalization have become apparent in nearly all corners of the world, the cultural identity of diverse populations must be protected. This became apparent in the 1960's during de-colonization when industrialization and urbanization became the models for development. As a result, the World Decade for Cultural Development recognized the importance of protecting cultural identity and established four key objectives as a means of using culture in order to enhance the development process. From this, over 1,200 development projects utilized these objectives that included acknowledging cultural dimensions of development, affirming and enriching cultural identities, broadening participation in cultural life, and promoting international cultural co-operation. These objectives have now become the basis for UNESCO activities in this area as they aim not only to promote the tolerance of diverse cultures, but also help to maintain peace and security throughout the world.

Questions:

What additional steps can the United Nations take to preserve intellectual property and the world's cultural heritage?

What should be done about intellectual property or cultural artifacts that have been removed from their country of origin prior to any international agreements about these issues?

What else can be done to raise international awareness about the preservation of our cultural heritage and related issues?

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Reassessing the Concept of Terrorism

by Pete Hernandez

"Terrorism is a global threat with global effects; ... its consequences affect every aspect of the United Nations agenda – from development to peace to human rights and the rule of law. ... By its very nature, terrorism is an assault on the fundamental principles of law, order, human rights, and the peaceful settlement of disputes upon which the United Nations is established. ... The United Nations has an indispensable role to play in providing the legal and organizational framework within which the international campaign against terrorism can unfold".

-Kofi Annan
UN Secretary-General

Introduction

The concept of terrorism and its definition has been debated for over half a century. Beginning with the League of Nations convention in 1937 and continuing until today, there is not a set international definition. Without a set definition and concept of what terrorism is and who can commit and be held responsible for terrorist acts, it has become increasingly difficult to set international campaigns and prosecute certain terrorist violence.

History

The 1937 convention set forth by the League of Nations coined terrorism as "All criminal acts directed against a state and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public". This definition was carried and generally accepted by the UN until 1972 when the General Assembly held its first agenda item discussion on international terrorism. The debate created a clear split between the developed and the developing world where one side argued for ways to combat terrorism and the other focused on studying the elemental reasons for terrorism.

In 1987 a General Assembly proposal was made to assemble a working definition of terrorism and to distinguish terrorism from national liberation, but the split in the committee favored using a sectoral approach of identifying what would be considered terrorism. In 1994 the GA passed Resolution 49/60, "Measures to Eliminate International Terrorism," which was one of the first comprehensive resolutions passed to combat international terrorism. In 1996 the GA passed resolution 51/210, which established an Ad Hoc committee under the Sixth committee. This committee negotiated two important treaties: the International Convention for the Suppression of Terrorist Bombings (52/164) and the International Convention for the Suppression of the Financing of Terrorism (54/109). Both have been recently ratified by most countries.

In addition, the only other proposed definition of terrorism is in the text of resolution 51/210 where operative clause 2 states:

> Reiterates that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them.

Since the terrorist attacks of September 11th, 2001, the Security Council has adopted two resolutions concerning terrorism. Resolution No. 1368 condemned the attacks and encouraged states to take actions to assist in the search for and prosecution of the perpetrators. The second

resolution No. 1373 took a comprehensive approach to "Prevent and suppress (a) the financing of terrorist acts".

Current Issues
Currently the United Nations uses twelve major conventions and protocols to identify and combat terrorism (http://www.unodc.org/unodc/en/terrorism_conventions.html). Yet, the issue at hand is the same: conceptually, in a legal sense, what is terrorism and how do we identify it and distinguish the differences between a criminal act or what would be considered terrorism, national liberation or political goals. As a widely quoted saying goes: "one terrorist is another one's freedom fighter."

State terrorism versus non-state terrorism is an issue that has also been brought to the floor. In a recent Sixth Committee session (15/10/2003) one speaker stated that "First, consensus should be reached on a legal definition of terrorism, including State terrorism, and it should be clearly distinguished from the legitimate fight of peoples for independence."

Today several member states have been accused of "harboring terrorist*s*" and some have even been pointed at as terrorist states by several counter terrorism coalitions. The question lies in identifying and prosecuting what would be state-sponsored terrorism and then identifying independent non-state terrorist cells.

Conclusion
Despite the actions the United Nations and other organizations and coalitions have taken, terrorist acts are still occurring. Identifying them and recognizing the differences and motivations for these acts have been a difficult struggle. The UN should quickly work on identifying or defining the concept of terrorism. Counter-terrorist action has been the motivation of much international intervention in many regions of the world; a clear and acceptable definition would help lead to a correct path against unlawful terrorism.

Questions to consider

1) Should the International Criminal Court be involved in investigating and prosecuting terrorist acts?
2) Should a definition of terrorism only take political goals as a means to violence as its main concern?
3) Since most terrorist acts have been categorized as acts aimed at civilian populations, should violence aimed at military combatants be considered as terrorist acts as well?
4) Can states be held responsible for terrorist acts? If so what type? Should there be a way to distinguish between a terrorist act and an act of aggression?

<center>**Reassessment of the Geneva Conventions**</center>

<center>**by Lara Fazel**</center>

Introduction

During the past decade and especially since the terrorist attacks of September 11, the Geneva Conventions have received great attention. It is commonplace to hear public discussion of the Conventions in reference to recent conflicts, including the conflicts in Rwanda, the former Yugoslavia, and more recently the war in Afghanistan and the war in Iraq. Much of the discussion is centered around violations of the Conventions and the impunity with which those violations are carried out, the adequacy of the text in dealing with contemporary conflict, and the strength or lack thereof an enforcement regime. Efforts to enhance both the substance and enforceability of humanitarian law receive much opposition, particularly from those States most likely to find themselves in armed conflict. Given the current global security condition, it is apparent that vigorous encouragement and support of international endeavors to critically analyze humanitarian law and address its fault lines is essential.

Brief History

War has been a reality for mankind since the beginning of recorded history. A body of law concerning war conduct has been evolving for centuries. Over the past century, the most significant development has been the establishment of the Geneva Conventions and the Additional Protocols of 1977. No body of international law is more subscribed to than the 1949 Geneva Conventions (190 Parties) and the two Protocols Additional of 1977 (160 and 154 Parties respectively). Over the last century twenty agreements (treaties, conventions, and protocols) related to the rules of war have been concluded. Among the most important are:

- The treaty on the uses of asphyxiating gases and expanding bullets (1899);
- The Geneva Gas Protocol (1925);
- conventions that addressed the treatment of the wounded and prisoners of war (1929);
- The Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention) (1948);
- protections for those shipwrecked at sea and to civilians (1949);
- the Hague Convention on the Protection of Cultural Property (1954);
- the extension of the protections of the two Additional Protocols to the 1949 Geneva Conventions to civil wars (1977); and
- The United Nations Convention on Military or Any Other Hostile Use of Environmental Techniques (1977).

UN involvement

The UN has taken a leading role in advancing international humanitarian law. The Security Council has become increasingly involved in protecting civilians in armed conflict and promoting human rights. Most recently, the council has established International Criminal Tribunals, such as the War Crimes Tribunal for the former Yugoslavia (1993) and the International Criminal Tribunal for Rwanda (1994). The General Assembly has established the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, the Principles of International Cooperation in the Detection, Arrest, Extradition and Punishment of Persons Guilty of War Crimes and Crimes Against Humanity (1973), and the 1980 Convention on Prohibition and Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects and it approved four Protocols. Recent resolutions include A/RES/57/219, Protecting human rights and fundamental freedoms while countering terrorism; A/RES/57/98 on the 1980 Convention mentioned above; and A/RES/57/62, Measures to uphold the authority of the 1925 Geneva Protocol. As of 1 July

2002, the Rome Statute of the International Criminal Court has entered force. The ICC may prove to be one of the most significant steps towards promoting international humanitarian law. The Court provides a permanent mechanism for accountability for war crimes, crimes against humanity and genocide.

Present Situation
There are numerous current issues related to the Geneva Conventions and their implementation. This past decade provides us with numerous case studies that illustrate the most glaring contemporary problems with the Conventions. Some of these issues include indiscriminate weapons (weapons such as landmines, herbicides, etc., whose destruction may or does extend beyond military targets), environmental consequences of conflict, the impacts on women and children in conflict, safety for humanitarian personnel, the treatment of prisoners of war, defining military objectives (Article 52 of Protocol I establishes the standard by which to determine the legality of military targets and tactics. The text, however is ambiguous, and increasingly is being interpreted liberally), internal versus international armed conflict, proportionality calculations, loopholes within the text, differentiating between combatants and noncombatants, national implementation, and chemical and biological warfare. Provided below are examples of some of the above-mentioned issues regarding the Geneva Conventions.

Indiscriminate munitions
In more than 80 countries civilians are at risk from landmines and unexploded ordinance (UXO). During recent conflicts, landmines have been used deliberately to target civilian populations, control their movements, and damage their mental health. Long after conflicts end, the presence of anti-personnel weapons like mines and other UXO continue to pose a terrible threat, often making it impossible for refugees and internally displaced persons to return to their homes, and prolonging suffering for everybody in the affected areas. There are also important social and economic consequences. In that much land is rendered useless that could otherwise be used for economically productive purposes.
The legality of the use of weapons such as landmines and cluster bombs has been a point of contention in the international community for quite some time. The use of weapons that cause indiscriminate and unnecessary harm to civilians violates existing agreements. The international community has called for the use of landmines to be stopped, with both the AntiPersonel Mine Ban Treaty (Ottawa Treaty) with 135 States party to the treaty, and Protocol II of the 1980 Convention on Certain Conventional Weapons (United Nations Convention on Inhumane Weapons). Though progress has been made, such weapons are still used by many countries and ten of thousands of civilians continue to be maimed or killed. The continued use of indiscriminate munitions demonstrates the limits of international law in changing the behavior of States.

Women in conflict
Women are disproportionately targeted in contemporary armed conflicts, and women and children constitute the majority of all victims and the majority of the world's refugees. During conflict, women are vulnerable to all forms of violence, in particular sexual violence and exploitation, including torture, rape, mass rape, forced pregnancy, sexual slavery, enforced prostitution and trafficking. The use of sexual violence as a strategic and tactical weapon of war places women and girls at an increased threat of contracting HIV/AIDS. International law provides a framework of protection of women during armed conflict, specifically, the four Geneva Conventions of 1949 and their two Additional Protocols of 1977.

During the past decade the international framework has expanded to address some of the particular crimes experienced by women in armed conflict. Sexual violence has been charged as

a grave breach of the Geneva Convention before the International Criminal Tribunal for the Former Yugoslavia (ICTY). The International Criminal Tribunal for Rwanda (ITCR) has convicted a defendant of crimes against humanity and genocide, inter alia, through acts of sexual violence. Despite progress with international humanitarian law, the plight of women in wartime is still desperate.   There is a need for better reporting on violence against women. Information on violence against women during conflict is hard to attain because women are less visible in their communities and face many obstacles when trying to approach organizations for assistance. Both a more in depth understanding of the impact of armed conflict on women and an approach to address this are needed.

Military objectives, proportionality calculations, and loopholes (the proportionality principle)
Protocol I, Article 51.5(b) states that an attack is indiscriminate and forbidden if, "it may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated." In other words, does possible military advantage outweigh possible collateral damage? To put it simply, the value of a target and the collateral damage that may result is dependant on who is making the assessment at the time. Furthermore, a value is not constant; it may change. For instance, destruction of agricultural areas is more detrimental to a State reliant on its own agricultural production than to one who depends on food imports. Concerning military advantage or a legitimate military target, can the destruction of production facilities of a country that relies on export earnings to finance its military be struck? This is an example of a target that lies in the gray area of military objectives about which no consensus exists. As we have seen recently, the changing nature of armed conflict creates incentive for a more liberal interpretation of the Geneva Convention and it Protocols in general, as well as a more liberal approach to assessing military objectives and the proportionality values between military advantage and collateral damage. The text of the Conventions is, in some areas, flexible enough (has loopholes) for States to interpret them according to their desired objectives. The current War on Terror and the controversy over the legality of some of the tactics used is another example of the problems regarding possible loopholes within the text.

Conclusion
For years, Conventions have depended on the willingness of nations to abide by them. The establishment of the ICTY, ICTR, and the ICC marks a step towards implementation beyond the honor system or willingness of nations. While the ICRC and numerous agencies of the UN monitor and assist in humanitarian affairs, national implementation remains the dominant method of adherence to international humanitarian law. It is the responsibility of States to train their military in proper combat behavior. It is also the responsibility of States to establish a system of law that is in harmony with international humanitarian law. The international community makes tremendous effort to ensure the full dissemination of humanitarian law. The changing nature of conflict, specifically, international terrorism and non-international armed conflict, has further put the effectiveness of current international humanitarian law into question.   Some suggest tightening existing prohibitions to prevent degradation of the Geneva Conventions.   Some recommend loosening existing prohibitions to deal more adequately with contemporary conflict. Some recommend establishing a Fifth Geneva Convention to address issues that are either ambiguous or not included in the existing text. Some proclaim that the ICC is the solution that was needed to address the status of the Geneva Conventions. The reality of today is that, with the already existing body of international law, there are innumerable violations that are carried out with impunity.

Questions:

1. Will the emergence of the International Criminal Court strengthen the norms contained in the Geneva Conventions and the Protocols Additional? How will the ICC be effective in dealing with violations committed by States that are not party to the Geneva Conventions and/or object to the Court's expansive jurisdiction?
2. Will strengthening the enforcement regime, the ICC, make some States reluctant to fortify or clarify the substantive provisions of treaty law? If so, how can the United Nations prevent the undermining of its efforts to encourage states that have not yet done so to become parties to relevant treaties on international humanitarian law?
3. In states where the Conventions are blatantly ignored or violated, but where it is too dangerous for humanitarian action, how can the international community respond when actions such as sanctions will devastate the civilian population?
4. Are the laws of the Geneva Conventions sufficient in dealing with modern conflict? If not, in what ways are they insufficient? What provisions need to be made?
5. How can the United Nations do more to ensure full dissemination and implementation of the Geneva Conventions and the Protocols Additional?

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Reassessing the Concept of Aggression

by Stephen Ryder

The Nuremberg tribunal set the precedent that leaders of states that commit acts of aggression should be held personally responsible for those acts and that they could be prosecuted for them. This direct challenge to state sovereignty has been codified in the creation of the International Criminal Court, but has also asked the preeminent question that came from Nuremberg: what is aggression?

Currently the International Criminal Court is working on a definition of aggression that it can use for trying individuals, as well as finding its jurisdiction. Some states feel that this should be left to the Security Council, while others feel it should be the purview of the ICC. The critical element that the ICC lacks is full commitment from the entirety of member states; without this, states will be beyond the reach of the ICC and enforcement will be difficult, if not impossible.

Resolution 3314 (XXIX) provided in Article 3 a definition of aggression as follows:
(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;

(b) Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;

(c) The blockade of the ports or coasts of a State by the armed forces of another State;

(d) An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;

(g) The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.

Though aggression has been defined in Resolution 3314 (XXIX) a method of enforcement has not. The question of aggression has changed in the years after the collapse of Soviet Russia. When Resolution 3314 was passed it was in a world dominated by the Warsaw Pact and NATO, with little ground in the middle for countries to exercise their independent power as any event could have the potential to unleash nuclear war. However, with this threat removed, it is necessary to reevaluate the concept of Aggression. This change is further amplified by the nature of terrorism. The attack conducted by Al Quaeda and other organizations would, if conducted by a state, fall under (b) of the definition of aggression.

Recent events have challenged the standing definition of aggression as explained in Resolution 3314. North Korea's claim to a defensive war if the United States invoked sanctions assumes that non-military action can be viewed as aggression; indeed aggression in socio-biological terms is defined as the attempt to seek dominance over another individual. The Treaty of Versailles in 1919 affirmed the dominance of the victors of World War I over that of the defeated powers, and though the acts were non-military, they none-the-less led to the military retaliation of Germany.

The second challenge is the preemptive action taken by the United States in its prosecution of the Iraq War. The war was justified as a preemptive defensive war as Iraq was supposedly working on procuring and had weapons of mass destruction. As the event turned out this was not needed, but under Resolution 3314 the Security Council, under Article 4 of the Definition of Aggression, could determine that, in building these weapons, the Iraqi actions met the criteria for aggression.

In *The Influence of Sea Power Upon History 1660-1783* Mahan defines defense as two separate concepts (page 87). The first is to make oneself impervious to attack and the second is to preempt the enemy's ability to attack. As the potential for a devastating first strike and the ability to carry out such devastating attacks without knowledge by other groups including the target have increased, the first option, that of strengthening oneself to receive the attack, has become ever more impractical. The development of nuclear, chemical and biological weapons reinforced the need for the two-part definition of defense. Such weapons cannot be effectively defended against. This promotes pre-empting the ability of another state or non-state actor believed to have malice and the capability to threaten a given state.

These two cases illustrate the problem of the standing definition of Aggression; in both cases the states feel threatened by the actions of another state. The United Nations is built upon two contradictory principles, that of providing for international stability and peace and the well-being of people in all states and of maintaining the peace. These two elements clash, as demonstrated in humanitarian intervention conducted by member states.

Questions:

1. Is the current definition of "aggression" adequate? If not, what should it be?
2. Should the ICC have the authority to overturn a decision of the Security Council?
3. Can non-military actions by a state be considered acts of aggression?
4. How can the issues of non-state actors taking nominally aggressive action be dealt within the framework of the UN?

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NUCLEAR, CHEMICAL and BIOLOGICAL WEAPONS:
Weapons of Mass Destruction and Global Human Security

by Marlene Houngbedji

Sates have attempted to follow the UN charter and establish "conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained." The initiators of treaties and other sources of international law have sought to strengthen Global Human Security by promoting multilateral disarmament.

World leaders have made the prohibition of nuclear, chemical and biological weapons a focus since the early 1960s. In the geopolitical context of the Cold War, a Conference on Disarmament (CD) was established in 1979; it is the single multilateral negotiation forum of the international community, and the auspicious answer to growing concerns regarding the threat of weapons of mass destruction (WMD). The organization succeeded other negotiating entities specifically designed to answer the need for multilateral binding documents that would enhance cooperation between all actors of the international arena. In addition to existing weapons limitation treaties, other major multilateral agreements have been drafted under the Conference on Disarmament patronage. They include the **Treaty on Non-Proliferation of Nuclear Weapons** (July 1968), the **Convention on the Prohibition of the Development Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons** (April 1972), the **Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons** (January 1993), and the **Nuclear Test Ban Treaty** (September 1996).

The UN, through the General Assembly's First Committee (Disarmament), has also considered several resolutions with the purpose of enhancing its partnership with the Conference on Disarmament and enforcing the decisions taken by member-states. Among the most noteworthy are General Assembly resolution A/57/58, calling for reduction of non-strategic nuclear weapons, and General Assembly resolution A/57/59, calling for 13 steps or practical actions by the member states.

Despite its complexity, this hybrid non-proliferation regime remains incomplete in many regards; unfortunately it lacks precision on certain types of Weapons of Mass Destruction and the process of inspection and verification measures that would prevent their multiplication. In December 2003, the First Committee therefore found it necessary to consider several issues, the resolution of which is crucial to Global Human Security.[i] In face of constant threats to international security, indeed, different items ought to be added to an already long list of concerns.

The task of reducing nuclear danger has been challenged by:

- The reluctance of states to respect "the obligations arising from treaties" they have signed, in accordance with the international law principle of *Pacta Sunt Servanda*. The 1969 **Vienna Convention on the Law of Treaties** states in its article 26 that "every treaty in force is binding upon the parties to it and must be performed by them in good faith."

- Member states unwillingness to reduce their military budgets. With the threat of terrorism and the ability of related organizations to purchase WMD, states that have been subjected to attacks on their soil are reluctant to diminish their military spending.
  No proposal on such reductions has, so far, been put forward.

- Member states occasional disregard of the UN authority in the field of verification. Some member states refuse to allow for weapons inspections; this increase tensions and is a potentially aggravating element for world security and peace. Iraq is an example of what type of measures can be taken because of a state's lack of cooperation. The Democratic Republic of Korea's refusal to allow inspections is also a current source of tension in the international community, though progress in negotiations currently underway may lead to a resolution of this issue.

- The lack of control over Russian fissile materials after the collapse of the Soviet Union. The nation's current economic status prevents it from taking appropriate measures to destroy its stockpiles of Weapons of Mass Destruction. The latter are now considered the largest potential source of weapons for terrorist organizations or those countries sometimes referred to as 'rogue states'.

- States' occasional refusal to comply with Test Ban and non-proliferation treaties, while imposing others in areas such as Latin America and the Caribbean (Treaty of Tlatelolco), Africa (Treaty of Pelindaba) and the Middle East.

- The dumping of radioactive waste, mostly in developing countries. In the past twenty years, the latter have developed a trend to leave their soil at the disposal of developed countries in exchange for financial compensation.

Chemical weapons and landmines had been the objects of several multilateral conventions that need to be implemented. Moreover, recent reports revealed that Russia "is far behind in the destruction of chemical weapons"[ii], the illicit sales of which cannot always be prevented by the former Soviet Union.

As for biological weapons, they are inherently difficult to control and may therefore constitute the most dangerous type of WMD. The biological weapons prohibition regime suffers from a *vide juridique*, meaning, an absence of international norms that prevent the potential "weaponization of diseases."[iii]

The threat of terrorism has drastically transformed the entire international disarmament process. Recent developments have undermined a non-proliferation regime that has been built over a 90 year-period, delaying the reduction of WMD and filling the path towards a nuclear weapon-free world with unparalleled obstacles.

Questions:

What steps can be taken toward multilateral disarmament, given the reluctance of certain nations to sign international treaties or reduce their stockpiles of weapons?

How can states be encouraged to live up to their existing treaty obligations?

Can the proliferation of Weapons of Mass Destruction be effectively controlled? How?

What impact does the threat of terrorism pose to existing treaties and to the non-proliferation regime?

How can the threat of terrorism in this area be reduced?

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2. Allocation of Agenda items to the First Committee (September 2003), www.un.org

3. Situation reports of the First Committee on Agenda items 62 to 80, General Assembly 58th session

4. Global Agenda, Issues before the 58th General Assembly of the United Nations, (United Nations Association of the United States of America, New York, New York, 2003)

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i Global Agenda: Issues before the 58th General Assembly of the United Nations, "Controlling Weapons of War," p. 12.

ii Allocation of Agenda items to the First Committee (September 2003), www.un.org

ii Global Agenda, Issues before the 58th General Assembly of the United Nations, p. 15

iii Global Agenda, Issues before the 58th General Assembly of the United Nations, p. 19

The Relation between the UN and the Regional Security Arrangements

by Evis Mezini

Although Article 24 in Chapter V of the UN Charter clearly vests the primary responsibility for the maintenance of international peace and security within the Security Council, the Charter provides a role for regional organizations and arrangements in the maintenance of peace and security in their respective regions. Article 33(1), in Chapter VI, provides that parties to any dispute endangering international peace and security "shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." Under Chapter VIII, Article 52(1) stipulates that nothing in the Charter is to preclude "the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations." It goes on to invite Member States entering into such arrangements to "make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council." On the issue of enforcement action by regional arrangements, several articles under Chapter VIII provide that the Security Council should make use of the regional arrangements to take action under its authority, stressing that the Security Council should at all times be kept fully informed of these activities and at no time should they be taken without the authorization of the Security Council.

Until the late 1980s, the role of regional arrangements was severely limited, as security action was determined within the antagonistic climate of the Cold War. As the Cold War ended, UN peacekeeping operations increased and the regional security role became apparent in the intervention in the Liberian civil war in 1990, by the Economic West African States (ECOWAS). The ECOWAS Monitoring Group (ECOMOG) deployed to Liberia was subsequently dispatched to Sierra Leone in the late 1990s due to the coup d`etat and on-going civil war in that country. On 31 January 1992, in *An Agenda for Peace,* the Secretary-General recommended a greater role for regional organizations in peace-related activities (A/47/277-S/24111, paras 63-65). The *Supplement to An Agenda for Peace* issued on 3 January 1995, outlined the forms that cooperation between the UN and regional arrangements was taking at the time in the context of maintaining peace. Cooperation between the UN and the regional orgnizations has developed extensively since then in conflicts and post-conflict situations in the Great Lakes region in Africa, Afghanistan, Asia, and southern Eastern Europe.

The UN and different regional arrangements have a history of trying to improve their relationship. In 1993 the Security Council invited regional organizations within the framework of Chapter VIII of the UN Charter to study "ways and means to strengthen their functions to maintain international peace and security within their areas of competence, paying due regard to the characteristics of their respective regions"(S/25859). In 1994 the Security Council further discussed this idea (S/PRST/1994/22) and during 1997 and 1998, in resolutions 1170 (S/PRST/1998/28) and 1197 (S/PRST/1998/35) offered several recommendations that dealt originally with Africa but applied to UN cooperation with any regional or sub-regional organizations and arrangements. Recently, the Brahimi Report of August 2000 led to some important recommendations, *inter alia,* on steps to be taken to a more effective cooperation between the UN and regional organizations in peace building and peacekeeping.

Despite all the efforts in trying to facilitate and organize cooperation between the UN and regional arrangements, there are only few provisions included in the UN Charter to facilitate co-operation. In the first instance, the mechanics of the relationship were not explicitly defined. No substantial co-operative plan existed and what provisions there were included ambiguities and contradictions. However, while the Charter suggests UN precedence over regional bodies, it affords statutory supremacy to neither. Consequently, there is no constitutional recourse in the event of a regional body's refusal to adhere to the primacy of the UN. Thus, powerful regional bodies, while acknowledging the UN's responsibilities, have been far less forthcoming in affirming their adherence to the UN`s supremacy in matters involving national security interests. For instance, neither the aforementioned ECOMOG intervention in Liberia nor the bombing campaign by the NATO in response to the Kosovo crisis in March 1999 received explicit Security Council authorization, although both were enforcement operations. In this context, Secretary-General Kofi Annan acknowledged the dilemma when there is an obvious humanitarian imperative yet the Security Council remains deadlocked over its own response and regional arrangements take action without the authorization of the UN. Thus, Annan suggested exploring ways to enhance the Council's ability to act in such circumstances in his proposal on reform and revitalization of the UN and its bodies.

Regional arrangements are far from homogenous in their nature. They vary from classical regional organizations such as the Organization for Security and Cooperation in Europe (OSCE) and the Organization of American States (OAS) to collective self-defense organizations such as the North Atlantic Treaty Organization (NATO) and the Western European Union (WEP) to arrangements created for more general purposes such as the European Union (EU) and the Association of South East Asian Nations (ASEAN). Although these regional organizations might pursue different approaches in tackling problems of collective security, peacekeeping, or economic issues, they have cooperated with the United Nations in the maintenance of international peace and security in one way or another.

Cooperation between the UN and the regional organizations occurs in various forms from formal or informal consultations between the Secretary-General and the heads of the regional organizations to periodic reports made to the General Assembly. Regional arrangements have participated in the peacekeeping activities of UN that have led to the establishment of peacekeeping operations and supported them by diplomatic initiatives. The OAU, the League of the Arab States (LAS) and the organization of the Islamic Conference (OIC) played this role in supporting the UN efforts in Somalia in the early 1990s. The OSCE played this role on constitutional issues in Georgia and Tajikistan, and the UN supported the OSCE on the issue of Nagorno-Karabakh.

Another type of cooperation between the UN and regional arrangements is operational support, which varies according to the requirements on the ground. One example was the provision by NATO of air power to support the United Nations Protection Force (UNPROFOR) in the former Yugoslavia. Others were the support provided by the NATO-led multinational Implementation Force/Stabilization Force (IFOR/SFOR) to the United Nations Transitional Administration in Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in establishing a safe and secure environment in that region of Croatia, and the operational support provided by the Commonwealth of Independent States (CIS) forces to the UN observer mission in Tajikistan. The European Union (EU) provided support in Eastern Slavonia, Bosnia and Liberia

In addition co-deployment is another form of cooperation used between the UN and regional organizations. UN field missions have been deployed in conjunction with the peacekeeping forces of ECOWAS in Liberia and Sierra Leone, and of the CIS in Georgia and Tajikistan. This model

was also followed in Bosnia and Herzegovina where the UN and regional organizations and arrangements were co-deployed with different mandates, but for the common purpose of bringing peace and stability to the country. Finally, the UN and the regional organizations have collaborated in joint operations such as the jointly launched International Civilian Mission in Haiti (MICIVIH) for which the staffing, direction and financing were to be shared between the UN and the Organization of American States (OAS).

In addition the Organization of African Unity (now the African Union -- AU) has been involved in the political settlement of conflicts in Angola, Burundi, the Comoros, Congo, Eritrea/Ethiopia, Guinea Bissau, Liberia, Rwanda, Sierra Leone, Somalia and Western Sahara. The OAU convened with UNHCR a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes region in 1995. Currently, the AU participates in negotiations over Western Sahara. Finally, the Southern African Development Community (SADC) initiated diplomatic negotiations for the peaceful settlement of the Congo conflict, while ASEAN initiated the diplomatic settlement of the Cambodian conflict.

Regional organizations might enjoy some advantages over the UN in certain areas. For example, it is often suggested that regional organizations have a greater understanding of the issues involved in a conflict within their own area. Moreover, a regional body might be more likely to demonstrate genuine and enduring commitment to resolve a crisis because of the potential for overspill of that conflict within the region. The regional effects of conflict can result from factors including the movement of refugees and weapons across national borders and ideological association. However, local knowledge and expertise should neither be assumed nor exaggerated between countries whose principal connection is often geographic proximity, as, in practice, great divides can exist between member states of regional organizations. Furthermore, any connections that do exist between members of a regional body can compromise the perceived neutrality of that body by the intended recipients of action. Also, a lack of unity and resources within a regional organization can threaten its long-term commitment to a particular initiative. A major problem when talking about regional bodies is their diversity, in terms of political unity, experience, and the availability of resources. For instance, while the African Union is orientated towards security issues, it lacks sufficient resources, organizational capacity, experience, and the cohesion required for concerted action. Conversely, NATO enjoys substantial unity as well as a wealth of resources, although this is largely concentrated in the military sphere. In the words of Secretary General Kofi Annan, today's complex humanitarian emergencies require equally complex multidisciplinary responses, which only the United Nations has the qualifications and the experience to provide. However regional and sub-regional arrangements could be essential elements that can facilitate post-conflict reconstruction as well as peace-building activities in support of UN peacekeeping operations.

Questions:

1. Are regional arrangements undermining the authority of the UN?
2. Should there be a specific framework for cooperation agreed upon from the UN and regional arrangements before the respective operations are established?
3. Should there be a specific division of responsibilities based on comparative advantages the UN and the concerned regional, sub- regional organizations and arrangements, in order to avoid duplication and competition?
4. Should there be regular communication channels between the UN Secretariat and the secretariats of regional, sub regional organizations and arrangements?

5. Are there cultural differences in how regional organizations perceive peace and strive for conflict resolution?
6. Are some conflicts more appropriate for resolution or management by the UN Security Council, while others are more open to regional solutions?

Sources:

- Most of the information regarding the relationship between the UN and the regional arrangements came from several papers prepared by the United Nations Department of Peacekeeping Operations.
- The resolutions and other documents referred to in the discussion are available at www.un.org
- Other useful websites include www.dpko.org , www.dpa.org, www.nato.int,
- Extensive information on the regional arrangements mentioned in the paper can be found on their respective websites.

Security and Stability in the Middle East
Enhancing the Dialogue on Good Governance and Disarmament

by Marlene Houngbedji

The Security Council and the General Assembly have been addressing a broad range of threats to peace and security around the globe, including and especially in the region known as the Middle East. Past and recent developments indeed constitute constant reminders of how crucial stability in the Middle East is to global human security.

The question of Palestinian//Israeli relations, and disarmament in other Arab countries (Iraq, Syria, Lebanon…) has a customary place on the agenda of the General Assembly. It is a place, GA Presidents have stressed that reflects the continuing responsibility of the Assembly for effective resolutions in all cases.

In November 1947, a nascent General Assembly of the United Nations approved a plan to partition the British Mandate of Palestine into Arab and Jewish states, with Jerusalem to be the subject of a special international regime (resolution 181 (II)). On May 1948, only one day after Israel proclaimed its independence, neighboring Arab countries attacked the newly created state. The conflict marked the dawn of an era of instability and terror in the entire region, with tensions exacerbated by strong anti-Israel sentiments.

Israel and Palestine. The United Nations presence in the Middle East goes back to the late 1940s, when a UN Truce Supervision Organization (UNTSO) was created in the wake of the first Arab-Israeli war. In 1974, in the aftermath of the Golan Heights conflict between Syria, Egypt and Israel, the mandate of the UN Disengagement Observer Force (UNDOF) was established twice through unanimously adopted resolutions. Established to maintain a fragile cease-fire and oversee an agreement prohibiting all three belligerents from deploying any military presence in the area, the force is likely to remain deployed in the near future; Israel and Egypt have never sought to negotiate a lasting peace agreement in thirty years.

The 1994 Oslo Process initiated by the Secretary- General and his Special Coordinator in the Occupied Territories has resulted in the adoption of a plan known as the Road Map (establishment of a Palestinian state by 2005). The plan, Kofi Annan believes, is a "significant departure from other recent peace initiatives in the region."[1]

Over the years, however, the General Assembly has recognized the danger posed by Israeli settlements in the Occupied Palestine Territories and has stated its opposition to their continued establishment and expansion as a grave violation to international law and a significant obstacle to peace. A resolution ES-10/13 drew attention to how aggravating to the current situation a separation barrier constructed by Israel was, and reaffirmed the principle of inadmissibility of the acquisition of territory by force. It demanded that Israel stops the construction of the wall; the recommendation, like many others, has gone unheeded, and the Secretary General could not act beyond reporting this blatant non-compliance with resolution ES-10/13.[2] Moreover, as the second Palestinian *Intifada* has been declared, terrorist attacks have undermined hopes for a political solution to the crisis.[3]

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[1] A Global Agenda, Keeping the Peace- The Middle East by J. Harding Lang, p. 90
[2] Statement by the President of the 58th session, December 1st 2003
[3] A Global Agenda, J. Harding Lang, Keeping the Peace- The Middle East, p. 87

Meanwhile, the humanitarian situation continues to worsen, since the security measures taken by the Israeli government have increased the difficulty of providing support to the Palestinian population. This humanitarian crisis was exacerbated by the shortfall of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), for lack of funding.[4]

Iraq, Lebanon and Other States. The occurrence of the Persian Gulf War in 1991 led to the establishment of the UN Iraq Kuwait Observation Mission (UNIKOM) to monitor the newly demilitarized zone separating Iraq and Kuwait. However, the recent US-led military campaign in Iraq may have rendered UNIKOM's mission purposeless.

The UN also established an Interim Force in Lebanon (UNIFIL) in 1978, to restore peace and security in the region after Palestinian commandos based in Beirut carried out a major attack in Israel. The force was unable to prevent Israel from later invading and occupy parts of Lebanon and limited itself to providing humanitarian assistance to the local population living under Israeli occupation.

The September 2001 events have provoked a shift in priorities, bringing terrorism to a number one spot on the General Assembly agenda. As a result, Resolution 1373 (2001) established a Counter Terrorism Committee, the actions of which are focused on three main areas: working with member-states to raise their capacity to defeat terrorism in their countries; promoting assistance programs, and creating a network of international and regional organizations.[5]

The General Assembly had also recognized that terror has become a strategic weapon in the Middle East; addressing the causes of its frequent use is now a priority, and disarmament, a must. Countries such as Algeria and Libya have decided to submit to inspection by the International Atomic Energy Agency (IAEA); as for Iraq, it does not appear that it possess the unconventional weapons the international community was led to believe it had. Israel, however, still refuses to open its facilities to inspection.

Considering the recent developments, the General Assembly needs to address the following issues:

- As stated by the President of the 58th General Assembly session,[6] the current situation is far from encouraging, causing a concerned General Assembly to reconvene its tenth emergency session on the illegal Israeli Actions in Occupied East Jerusalem in late 2003. On September 16, the Security Council failed, due to the negative vote of the United States, to adopt a resolution (ES – 10/ 12) demanding that Israel desist from any act of deportation and cease any threat to the safety of leaders of the Palestinian Authority. The construction of a wall in occupied territories was not declared illegal and in violation of the Armistice line of 1949 for similar reasons.[7] It therefore appears that the US- Israel partnership often represents a serious obstacle to effective UN action.

- The disarmament issue is complicated by claims on the part of Iraq and Syria, that Israel is the only country in the region that has not taken steps towards nuclear disarmament.[8] The establishment of peace in the Middle East should include what are referred to as "confidence-building measures regarding conventional weapons." The importance of a "mutually verifiable zone-free of ballistic missiles of biological, chemical and nuclear weapons" would eliminate the double standard that is the current trend in the region.

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[4] Press Release SC/ 7923
[5] Press Release SC/ 7982, p. 7
[6] Statement by the President of the 58th session, December 1st 2003
[7] Press Release SC/ 7982, p. 6
[8] Press release, January 30th 2003

- The root causes of terrorism, including poverty, intolerance, denial of human rights in illegally occupied territories and foreign appropriation of natural resources, oil mainly, are often overlooked by international institutions.

- The Palestinian Authority has done little to address the core issue of terrorism and needs to make all efforts to prevent attacks against Israeli civilians.

- As for the fight against terrorism, its intensity should not prevent national and international law, as well as the Charter of the UN from being respected. In this regard, links between terrorism and transnational organized crime must be made clear in a definite and precise manner to allow further actions. Likewise, illicit drugs, money laundering and trafficking is illegal arms are only a few of the many practices threatening international security; the fact that some Security Council members have secretly promoted and may still be promoting the latter for political and strategic purposes.

- The Secretary- General and his Special Coordinator for the Middle East Peace Process have stressed the participation of civil society in the search for creative approaches and in offering new ideas to re-start the peace negotiations.[9] Non-governmental Organizations (NGO) are indeed an important asset to the international community and are often in the forefront of the peace building process is also alarming.

History, the President of the 58th session of the General Assembly stated, is a persistent reminder that problems between peoples and states cannot be solved by violence and conflict. It is to date common believed that the two-state solution is the only one that will bring this longstanding conflict and related tensions to an end. According to Secretary- General Kofi Annan, the ongoing cycle of violence has "virtually exhausted the reserves of good will that existed a decade ago." Achieving stability in the Middle East is a condition for long-lasting peace in an area with a long history of war, but also a requirement for world security.

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[9] Statement of the President of the 58th session of the General Assembly

Migration Flows

by Evis Mezini

A fundamental characteristic of populations is their movement from place to place. The right to move was recognized globally over a half century ago with the adoption of the Universal Declaration of Human Rights. The Declaration states in Article 13 that "Everyone has the right to freedom of movement and residence within the borders of each state" and "Everyone has the right to leave any country, including his own, and to return to his country."

Today there are more people living outside their countries of birth than ever before -- an estimated 175 million. The number of migrants has more than doubled since 1970. Sixty per cent of the world's migrants currently reside in the more developed regions and 40 per cent in the less developed regions. Most of the world's migrants live in Europe (56 million), Asia (50 million) and North America (41 million). Almost one of every 10 persons living in the more developed regions is a migrant. In contrast, nearly one of every 70 persons in developing countries is a migrant. Of the 175 million migrants, about 160 million are deemed international migrants; approximately 12.5 million are recognized refugees fleeing a well-founded fear of persecution; 600,000 were asylum seekers; and 4.6 million were IDPs (Internally Displaced Persons). In addition, the number of countries that host a significant number of migrants increased from 26 in 1965 to 66 in 2000. Almost as many women migrate as men (48%), but now more women tend to migrate independently from men.

Migration has, in recent years, become a top priority on the policy agendas of governments around the world, and the international migration landscape has seen major changes in the areas of policy and practice. The multidimensional character of migration and the increasing involvement of states in all parts of the world demand a more comprehensive understanding of the phenomenon and more consistent guidance/advice on how to manage it. International migration patterns differ significantly by region. The traditional countries of immigration (Australia, Canada, New Zealand and the United States) have had a high intake of people who seek permanent settlement. In Europe, immigration experienced an all-time high in the early 1990s, mostly due to the disintegration of the communist regimes in Eastern Europe and the breakup of the former Soviet Union and of the former Yugoslavia. Migration within and to Europe leveled off in the late 1990s. Asia has been a major source of migrants to the traditional countries of immigration as well as to the oil-producing countries of Western Asia and the newly industrialized and industrializing economies of Eastern and South-eastern Asia. In Africa, migration flows have risen since 1985, both because of widening economic disparities and growing conflict. Sizeable flows of economically motivated migration exist from Northern Africa to Europe as well as within Western and Southern Africa. Western Africa was also the focus of refugee flows in the late 1990s. Most countries in Latin America and the Caribbean are emigration countries to North America, but also from poorer to richer countries in Central America.

The immigrants of this new era face many restrictions. Labor, indeed, is the most constrained single factor of production in the world economy. Trade in goods and services and movements of capital are, by comparison, much freer. This reflects the reality that labor is not a commodity. The migrant is a person and a prospective citizen. Present citizens sometimes fear the competition of newcomers and also fear uncontrolled changes in their traditional culture and politics. And it is a hallmark of modern sovereignty that control over membership and over borders is one of the first principles of political independence.

Globalization is affecting the character and the impact of migration. Facts and images travel around the world instantly, providing information about economic opportunities. Lower travel costs and the information and communication technologies that are among the driving forces of globalization have made migration, return and circular migration, as well as contact with the home country and its culture, much more viable. Financial integration and liberalization have made sending money abroad easier and cheaper. Migrants have also facilitated trade, investment and the transfer of skills and technology between the country of origin and the recipient country, in both directions. These developments have changed the character of migration and its consequences, particularly in development. Migration is an integral part of globalization.

Migrants belong to the following categories: labor migrants, migrants for permanent settlement, asylum seekers and refugees, and trafficked and eco-migrants. Migrants in the first two categories are likely to move voluntarily, motivated by economic gains. In contrast, asylum seekers and refugees are forced to migrate, pushed by violence, political instability and fear of persecution on the grounds of race, religion, nationality, political opinion or membership of a particular social group. Migrants in the last two categories combine elements of the other categories.

The vast majority of migrants are making meaningful contributions to their host countries. At the same time, however, international migration entails the loss of human resources for many countries of origin and may give rise to political, economic or social tensions in countries of destination. Problems arise also within the economies of countries of origin where the flow of remittances follows informal channels. These countries may need to minimize macro economic uncertainty and ensure transparency and standardized regulation of financial institutions in order to enjoy the full benefits from the potential remittances. Many countries in need of foreign workers have followed a practice of contract labor migration that does not allow for permanent settlement. This scheme has allowed a very substantial exchange of labor, especially in those countries where popular resistance to immigration is increasing.

An issue of great concern is that the mobility of people can trigger health issues, for example by introducing new or re-emerging diseases (HIV/AIDS and TB) to countries of transit or destination, or by taking home diseases previously unknown. The migration process can make migrants more vulnerable. Xenophobia, discrimination, sexual or labor exploitation, absence or paucity of socio-legal protection, and frequently a lack of access to health care and social services increase migrants` vulnerability, which can be compounded by linguistic, psychosocial, economic and cultural barriers.

The continued flow of irregular migrants through trafficking and smuggling and its links with organized crime is also a serious problem. Trafficking is a specific form of highly abusive irregular migration involving the exploitation of migrants, generally for profit. Smuggling, as distinct from trafficking, is the illegal facilitation of border crossing or illegally remaining in a country, but does not necessarily involve abuse and exploitation as does trafficking.

The population flow is not homogenous but of a composite character. Asylum-seekers and refugees may use the same mode of travel as undocumented migrants and resort to, or be exploited by, criminal smugglers and traffickers. In some cases, refugees may use these channels to leave one country of asylum and move to another destination for reasons of security, serious social or economic hardship or personal convenience. At the same time, persons who do not qualify for international protection may resort to asylum channels in the hope of gaining either temporary or permanent stay abroad. There is no international regime for addressing and managing broader migratory movements comparable to that for refugees. Therefore, the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for

Migration (IOM) have formed what is sometimes referred to as a strategic alliance to address migration issues. They are also cooperating with other international organizations involved with migrants such as ILO, UNICEF, UNHCHR, UNDP, UNIFEM, and UNAIDS; regional organizations such as the EU, OAU, OSCE; civil society; and various government authorities. A major aim is to reduce the incidence of irregular migration in line with relevant recommendations of the 1994 Cairo International Conference on Population and Development. The information activities and the support that IOM has given to protocols such as those on trafficking and smuggling to the UN Convention against Transnational Organized Crime is meant to help States in dealing with these issues without infringing upon their sovereignty.

UNHCR's direct interest in this issue stems from the fact that many asylum-seekers and refugees make use of smugglers, especially in the case of women and children refugees. The UNHCR Global Consultations on Refugee Protection endorsed the "Agenda for Protection", which provides a framework and a plan of action for the United Nations and its Member States. It addresses issues related to refugees, returnees, asylum seekers, rejected asylum-seekers, stateless people (people who are not considered as nationals by any state under the operation of its law), mass influxes (large numbers of refugees crossing an international border in a short period of time) and mass expulsions (rapid removal of large, specific unwanted social groups from the national territory). The rights of refugees are set out in two international instruments: the 1951 Convention on the Status of Refugees and its 1967 Protocol. These instruments, ratified by 145 countries, establish legal protections and a clear definition of a refugee. They also prohibit the expulsion or forcible return of persons accorded refugee status. UNHCR has been mandated to provide international protection to refugees and promote durable solutions to their plight. In this context, UNHCR has recently participated in a number of successful operations such as the repatriation of more than 2 million Afghan refugees, large numbers of refugees in Angola, Eritrea, Northern Somalia, Sierra Leone, Timor-Leste, and Sri Lanka. On the negative side, new outbreaks in West Africa and the situation in Colombia present UNHCR with major challenges. UNHCR continues to strive for more effective cooperation with NGOs, Member States and other agencies in trying to ensure that everyone can exercise the right to seek asylum and find safe refuge in another state, and to return home voluntarily in safety and dignity.

According to a United Nations Department of Economic and Social Affairs (DESA) 2002 report on international migration, the United Nations system is addressing the various dimensions of international migration. For example, the United Nations Secretariat has focused on the collection, analysis and dissemination of information on levels, trends and national policies relating to international migration. Other parts of the United Nations have been concerned with issues such as human rights, internally displaced persons, family reunification, undocumented migrants, trafficking and the social and economic integration of migrants. In addition, specialized agencies have focused on issues related to their expertise and mandates, such as labor flows, refugees and asylum seekers and remittances. The United Nations General Assembly has also addressed the issue of international migration and development. Recently, the General Assembly, in its resolution 56/203 of 21 December 2001, called upon the United Nations system and other relevant organizations to continue to address the issue of international migration and development and to provide appropriate support for processes and activities on international migration and development. In response to this resolution, and also to provide further information on international migration to the General Assembly, the United Nations Population Division organized in July 2002 the first system-wide Co-ordination Meeting on International Migration.

In his proposals for strengthening the United Nations Organization, (Report of the Secretary-General, A/57/387), the Secretary-General stressed that "it is time to take a more comprehensive look at the various dimensions of the migration issue, which now involves hundreds of millions

of people and affects countries of origin, transit and destination. We need to understand better the causes of international flows of people and their complex interrelationship with development."

In addition to the work done by the United Nations, different agencies, civil society and Member States, there is also a wealth of International Law in regards to migrants. The 1990 International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, ratified by 19 countries, establishes an international definition of the different categories of migrant workers. It formalizes the responsibility of receiving States with regard to upholding the rights of migrants and assuring their protection. The 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, ratified by 18 countries, aims to prevent and combat trafficking in persons, particularly women and children; to protect and assist the victims of such trafficking; and to promote cooperation among States parties to meet these objectives. Finally, the 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, ratified by 17 countries, aims to combat and prevent the smuggling of human cargo, reaffirming that migration in itself is not a crime, and that migrants may be victims in need of protection. Both the ILO Migration for Employment Convention (No.97, 1949) and the Convention on Migrant Workers (Supplementary Provisions; No.143, 1975) regulate the conditions of work of migrants lawfully residing in the country of immigration. Convention No.143 establishes, in addition, an international obligation to cooperate in suppressing clandestine movement of migrants. The Convention on the Protection of Migrants entered into force as of July 2003; the legal framework protecting the human rights of migrants can also be found in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and other international conventions.

The implementation of national policies to affect levels and patterns of international migration has also intensified, spreading to all regions of the world. Discussions on issues such as sustained low fertility and population aging, unemployment, brain-drain and brain-gain, worker remittances, human rights, social integration, xenophobia, human trafficking and national security have led to a re-examination of migration policies and the potential benefits and disadvantages accruing to sending, receiving and transit countries. Over the past decades, the number of Governments adopting new measures to influence migration has grown rapidly. In particular, the number adopting policies to lower immigration rose from 6 per cent in 1976 to 40 per cent in 2001. In the aftermath of the events of 11 September 2001, some countries have further tightened their policies towards immigrants, refugees and asylum seekers.

While immigration has often been encouraged by countries of destination as a means to provide certain skills, the aging of the population of the industrialized world of Europe, Japan and North America prefigures what may well be a substantial increase in demand for immigrant labor across the board. At the same time countries of emigration depend on remittances as never before to sustain basic needs and directly or indirectly foster investment. The circumstances favoring international cooperation thus are on the rise, not just to protect the basic human rights of people who are vulnerable, or to share the burdens fairly of providing assistance for refugees, but to make sure that the positive potential of international migration for migrants, senders and receivers alike, is fully realized.

Questions:

1. Where does migration fit in the range of responses to be considered by policy makers? Whose responsibility is it to plan for and manage population levels?

2. Does migration offer short-term solutions to demographic imbalances?
3. If solutions are identified, how are they to be put in practice? Should they be solved at the regional or global level?
4. What steps can be taken to ensure that migratory movement is followed by integration in the host society rather than alienation?
5. Should there be a new specialized agency within the UN system to consolidate the responsibility for the many overlapping categories of forced and voluntary migrants?
6. Should the UN bring the IOM into its system designating a division of labor and/or a clear and wider mandate? What should its relation be to UNHCR under these conditions?
7. Should UNHCR, the ILO or IOM be designated as the lead agency for migration? Would this be less divisive than the creation of a new agency?
8. Should the UN follow the IDP model of enhanced inter-agency collaboration or the WTO model that operates through successive rounds of negotiations toward multilateral agreements on migration issues?

Sources:

Many of the ideas and statistics regarding migration are drawn from an unpublished paper prepared for the Secretary-General. Input into this paper was provided by IOM, UNHCR and other UN agencies.

Statistics on refugees and information on policies can be found on the UNHCR website, www.unhcr.ch.

Other valuable websites include www.iom.org (IOM) and www.ilo.org (ILO)

Conventions and Protocols referred to in the discussion are available at the corresponding website.

The Report of the Secretary-General (A/57/387) is available through the UN homepage (www.un.org).

Internally Displaced Persons

By Maneesha Azeez

There are an estimated 20-25 million Internally Displaced Persons (IDPs) around the world. This number fluctuates every year due to violence, threats, and arbitrary actions by governments, rebels, and militia. Similar to refugees, IDPs are helpless civilians caught up in the middle of continuing civil conflicts and persecutions. IDPs are individuals or groups of people who have been forced to flee their homes to escape armed conflict, generalized violence, human rights abuses, or natural or man-made disasters but have not crossed their national border. Refugees normally receive more protection (food, shelter, and security) than IDPs since they have crossed international borders and are protected by international laws and conventions. Although both refugees and IDPs leave home for the same reasons, the main difference between the two groups is that IDPs are displaced within their own state and the refugees have crossed a national frontier to seek sanctuary in another country.

Most IDPs are faced with an insecure future because of ongoing internal conflicts and the lack of protection under international instruments and agreements. While the Geneva Conventions speak to the need to protect civilians during armed conflict, they are difficult to apply to the IDP population in practice. However, the creation of the Guiding Principles on Internal Displacement has raised the prospects of greater protection for IDPs. The Guidelines were prepared under the leadership of Mr. Francis Deng, the Secretary-General's Special Representative on Internally Displaced Persons, and were compiled from existing legal documents. They contain several recommendations for governments and humanitarian organizations involved in assisting the IDP population worldwide. Although these Guiding Principles are not legally binding, they provide a definition of IDPs and a listing of the rights of internally displaced persons and suggested responsibilities of the parties assisting them. A number of States have indicated their willingness to use the Guiding Principles in their dealings with IDPs, although some States have objected to requiring their use in all situations, since the Guiding Principles have never been approved as a separate document by the United Nations or any of its subsidiary bodies.

Although IDPs share a common experience of fleeing their homes, each internally displaced person has a different experience depending on geographical location (how close to war), ethnic background, previous interaction with the government or national NGO's, and their relationship with the local population. Multiple displacements are the norm for most IDPs with a majority of them moving on average three to four times.

Women and children constitute the largest group among IDPs worldwide, and they are also considered the most vulnerable. They are often subjected to physical abuse and sexual harassment. In some African countries, displaced women and children in welfare camps were forced to exchange sex to obtain food or other basic items. Displaced children have been widely recruited as child soldiers in many countries.

In recent years, the total number of IDPs appears to have stabilized. While about three million IDPs were able to return to their homes during 2002-2003, a similar number were newly displaced because of conflicts in Afghanistan, Burundi, Colombia, the Democratic Republic of the Congo, Iraq, the Philippines, Sudan, and Uganda. Governments and non-state militias have played the major role in the displacement of these people. But the war on terrorism in Afghanistan and the recent war in Iraq have also resulted in thousands of displaced persons.

At the same time, the year 2002 has given hope to IDPs in many countries. In Sri Lanka, over one million people had been displaced many times due to ethnic conflict. After 20 years of war between the Sri Lankan government and the Tamil terrorist group (LTTE), a ceasefire agreement was reached. More than

230,000 IDPs have returned home. In Sierra Leone, the 11-year civil war officially ended in 2002, letting large numbers of displaced people and refugees return home. In Bosnia and Herzegovina, about 70,000 IDPs returned home after much pressure from the international and local authorities. The Indonesian government is continuing efforts to resolve the communal violence and return and resettle displaced persons in North Maluku, Central Sulawesi, and Aceh.

In Angola an estimated 1.1 million people have returned to their homeland, although they are often faced with human rights abuses and poor living conditions. Many of the returning IDP population have become victims of landmines, as has also been the case in Afghanistan, Bosnia, Herzegovina, and Cambodia.

One of the major problems in assisting internally displaced persons is the fact that no one in the United Nations system has a specific mandate to provide that help. The primary responsibility for taking care of them resides with their own government, but that government may be the cause of their flight in the first place or may be unable to provide assistance. In response to this problem the Secretary-General has appointed a Special Representative on Internal Displacement (the aforementioned Francis Deng from Sudan) and he has delegated the responsibility of coordinating assistance for IDPs to the Office for the Coordination of Humanitarian Affairs (OCHA) headed by the Emergency Relief Coordinator (now Mr. Jan Egeland of Norway). But OCHA is not an operational agency and cannot provide assistance in the field. OCHA has established a small Internal Displacement Unit (IDU) to monitor IDP situations and provide advice to governments and the UN system regarding internal displacement, but governments thus far have been adamant that this unit must remain non-operational.

In the meantime, the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR) have provided the bulk of assistance coming from the international community. The ICRC is active in conflict situations, trying to ensure that protection and assistance are forthcoming to the victims of conflict as part of its responsibility to monitor the Geneva Conventions. UNHCR has stepped in when specifically asked by the Secretary-General, the General Assembly or the Security Council, but only with the consent of the government where the IDPs are located. UNHCR has indicated that it can only do this where sufficient resources are available and where its actions do not inhibit the right of refugees to seek and enjoy asylum. More recently, UNHCR has begun the practice of informing the Secretary-General and the Emergency Relief Coordinator of those IDP situations where it feels it can have a significant impact.

UNHCR has assisted IDPs in approximately 30 situations around the world and currently aids close to five million, most of them in Africa. In doing so, UNHCR works closely with the ICRC, the World Food Programme, the World Bank, the International Federation of the Red Crescent and Red Cross Societies (IFRC), non-governmental organizations, and local governments. Relief efforts include the provision of food and non-food items, emergency shelter and infrastructure repairs, he creation of water and sanitation facilities, and social and health service centers. In addition, UN agencies work on policy development and capacity building for local and national governments and NGOs.

The logic of UNHCR's involvement stems from the fact that IDPs, though still within their country of origin, are otherwise in refugee-like situations where UNHCR has a special expertise and a comparative advantage. Member States, while recognizing UNHCR's experience in this area, have cautioned that it should not go beyond its primary mandate of providing protection for refugees and seeking durable solutions to their plight. Thus, the issue of who, if anyone, should have the mandate for assisting IDPs is still unresolved. This may be the major question confronting delegates as they discuss the topic of IDPs.

Questions:

1. Who, if anyone, should have a mandate to protect IDPs? Should the mandate be given to an existing agency? If so which one?
2. What should the mandate entail?
3. If no existing agency should have this mandate, should a new operational agency be created? What should its mandate be? How will it be funded?
4. What role should regional organizations have if any?
5. Are there circumstances that justify intervention by the international community if Member States are not able to provide protection for citizens within their borders?
6. Should the UN officially adopt the Guiding Principles on Internal Displacement?

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Human Smuggling and Trafficking

by Piyusha Perera

Introduction

Within the past decade, the level and intensity of "Human Smuggling and Trafficking" has increased significantly from a minor problem of border crossing activity in just a few states to a global issue that has turned into a multi-billion dollar business. As the Australian delegate to the General Assembly's Third Committee stated:

> People smugglers and traffickers, like all transnational criminals, do not respect borders. They do not respect State sovereignty or international laws. They feed on the misfortune and aspirations of their victims, and pay no heed to their human rights or safety. As such, people smuggling and trafficking have become major political and security issues for the international community, inflicting heavy social and economic costs upon States. According to the International Organization for Migration (IOM), people smuggling and trafficking generate approximately $10 billion annually, making these repugnant activities core business for transnational criminal networks alongside narcotics, document fraud, money laundering and arms smuggling. Furthermore, the illegal movement of people undermines the capacity, effectiveness and integrity of the international refugee protection system (*UN Press Release, GA/SHC/3742*).

Human smuggling and trafficking are directed most often against women and girls. Ms. Angela King, Assistant Secretary-General, and Special Adviser on Gender Issues and Advancement of Women, has noted that "Trafficking in women and girls is a particularly hideous form of violence. It is estimated that some 700,000 persons are trafficked each year across international borders. The majority are women and girls, usually in their teens or early twenties" (*UN Press Release, GA/SHC/3744*).

Various methods of combating this problem, including the application of new laws, the creation and expansion of new enforcement and management agencies with huge budgets, and multilateral programs, have been designed and implemented by several states where "human smuggling and trafficking" occur on a large scale. Considering the extent of the issue and the need to combat it, clear definitions of the terms "human smuggling" and "human trafficking" are crucial. The Australian government, one that is experiencing this issue at a very disturbing rate, has put forth a useful definition for human smuggling:

> **Human smuggling** refers to practices that involve a person's gaining entry into a country without the necessary permission, whether or not this is undertaken for profit. This may include, for example, people who are hidden below deck on container ships and people who travel using fraudulent documentation.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children defines human trafficking in Article 3, paragraph (a):

> **'Trafficking** in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery,

servitude or the removal of organs (*UN Office on Drugs and Crime website; www.unodc.org*).

Combating the Issue

The crisis in smuggling and trafficking has been aggravated by the growing involvement of organized crime groups. The smuggling of migrants by these groups upsets customary immigration policies of destination countries and also frequently involves human rights abuses. However, due to the organized nature of the criminal activity, governments experiencing the problem encounter barriers in combating the issue such as lack of resources or political will, human resistance to change, and corruption. Some countries have taken steps to address the problem through national legislation. For example, the United States, a country that must deal with numerous smuggling and trafficking situations, has adopted legislation making it a crime "for any person to enter the United States, or for any citizen to travel abroad, for the purpose of sex tourism involving children." Both Japan and the United States have established inter-agency task forces to monitor and combat trafficking in persons (*UN Press Release, GA/SHC/3742 and 3744*). But since domestic efforts are generally concentrated within national borders and often cannot address broader regional situations, regional and/or international cooperation is needed to address the transnational elements of organized crime.

Steps Taken Towards Eliminating Human Smuggling and Trafficking by the United Nations

The United Nations has developed a number of instruments to prevent and combat all forms of smuggling and trafficking in human beings, and to promote the fight against transnational organized crime involved in trafficking networks.

By Resolutions 53/11 of 9 December 1998, the General Assembly established an Ad Hoc Committee open to all States for the purpose of elaborating a new international Convention against Transnational Organized Crime (the draft Convention), and to elaborate three additional instruments. Two protocols are expressly devoted to reinforcing international cooperation against the smuggling of migrants and trafficking in human beings. The focus of the optional protocol relating to trafficking in migrants is on the prevention and suppression of smuggling of migrants, with special attention being paid to the distinction between the criminalization of trafficking and the protection of victims of that activity (UN General Assembly 1999, 4). The focus of the protocol of trafficking in persons is on trafficking in women and children.

The Global Programme against Trafficking in Human Beings (GPAT) was designed by the UN Office of Drugs and Crime (crime.clcp.html) in collaboration with the United Nations Interregional Crime and Justice Research Institute (http://www.unicef.it) and launched in March 1999. GPAT assists Member States in their efforts to combat trafficking in human beings. It highlights the involvement of organized criminal groups in human trafficking and promotes the development of effective ways of cracking down on perpetrators. The GPAT's' overarching objective is to bring to the foreground the involvement of organized criminal groups in human trafficking and to promote the development of effective criminal justice-related responses. As the only entity focusing on the criminal justice element, the GPAT, working through UNODC's Crime Programme, brings special comparative advantages to the fight against trafficking.

In close cooperation with respective governments, NGOs and other institutions concerned, a series of "cooperation projects" were implemented in selected countries. The projects are aimed at assisting governments to:
- Promote awareness-raising (such as public awareness campaigns) of trafficking in human beings and especially strengthen institutional capacity;
- Train law enforcement officers, prosecutors and judges;
- Advise on drafting and revising relevant legislation;

- Provide advice and assistance on establishing and strengthening anti-trafficking elements; and
- Strengthen victim and witness support (UNODC website: www.unodc.org).

The program also hopes to "provide assistance to agencies, institutions and governments as part of an interdisciplinary effort to design effective measures against trafficking in human beings" (UNODC website: www.unodc.org).

Nevertheless, additional research is needed in order to understand the role of transnational organized crime groups and to develop and implement appropriate technical cooperation activities to combat transnational organized crime. Attempts to fill this gap have taken place at the regional level. Australia and other countries in the pacific region organized the Bali Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, which has now met on two different occasions. The Bali Process, according to the Australian delegate, "is making an effective and important regional contribution to international efforts to address illegal people movement" (*UN Press Release, GA/SHC/3742*).

But ultimately, to be successful, these issues must be addressed by the international community. As Romania stated to the Third Committee, "efforts undertaken at national levels to contain and control trafficking in human beings would not bear fruit unless all members of the international community committed all their available material, human and financial resources to implement integrated policies and foster common approaches with regional partners. All countries involved – countries of origin, transit and destination – were to be held responsible for this modern form of slavery" (*UN Press Release, GA/SHC/3743)*.

Questions:

1. How can the UN or Member States promote greater cooperation on a bilateral or multilateral level?
2. What can be done to enhance or implement the Conventions and Programmes that currently exist?
3. Are additional instruments and mechanisms necessary?
4. What role, if any, can/should regional organizations play in stopping smuggling and trafficking?
5. What lessons have been learned from the Bali Process? How can these "lessons learned" be applied to other regional situations?
6. What should be done to improve protection of the victims of these activities? Who should fund these programs?

Sources:

Australian Institute of Criminology, 2000 *Human smuggling and trafficking: an overview of the response at the federal level*. www.aic.gov.au/research/traffick/ran.html-
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