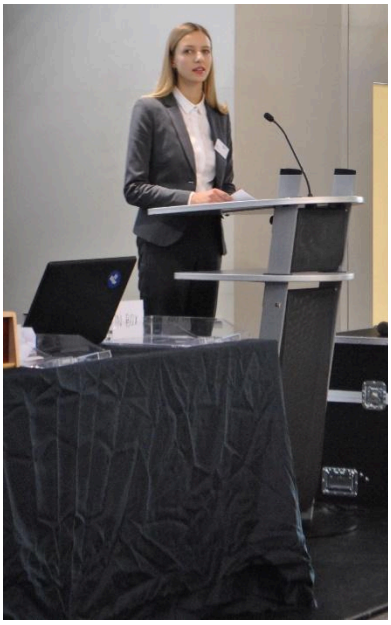
BAYERN+ MUN 2023

UPDATES TO NMUN BACKGROUND GUIDES GENERAL ASSEMBLY

BAYERN MODEL UNITED NATIONS 2024



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Bayern Model United Nations 2024

Hosted by the United Nations Society Nuremberg e.V.

Introduction

Dear Delegates,

Welcome to the 2024 Bayern Model United Nations! We are pleased to welcome you to the General Assembly. The topics on the agenda are:

I. Eliminating Child, Early, and Forced Marriage by 2030
II. The Impact of Terrorism and Counter-Terrorism Practices on Human Rights

In adherence to the National Model UN rules, our BayernMUN conference utilizes former National Model UN Background Guides. To acknowledge and honor the effort invested by the National Model UN and its staff in creating these guides, as well as to respect their intellectual property, we strictly adhere to their updated guidelines for utilizing these background guides. Consequently, we are obligated to present the original background guides and the pertinent topics in their unaltered and raw format. The relevant background guides, along with the downloadable topics, can be found on our website. **Additionally, this document incorporates essential updates and amendments, a product of the BayernMUN staff, to the original background guides provided by NMUN.** Given that the NMUN guides, forming the basis of our topics, were introduced several years ago, we are presently revising them to align with the framework of our conference.

The BayernMUN General Assembly serves as the core forum for discussions on Security, Development and Human Rights topics affecting Member States. The international community has faced several dynamic changes over the past years; we hope to see the resolutions in this committee reflect an understanding of those changes.

This supplementary document will serve as an extension to the topics listed and represented int he original background guides. Accordingly, it is not meant to be used as an all-inclusive analysis for research, but rather the foundation for your own analysis and research. The references listed for each topic will provide you with the resources you need to start your own research. Each delegation is requested to submit a position paper, which reflects your research on the topics. Please take note of our BayernMUN policies on the website and in the delegates guide. This Background Guide was adapted and updated from previous guides written for NMUN New York and NMUN DC. Citations can be found at the end.

If you have any questions regarding your preparation for the committee and the conference itself, please feel free to contact any of the substantive staff of the 2030 BayernMUN.
We wish you all the best in your preparation for the conference and look forward to seeing you in February!

Sincerely,
Your BayernMUN staff!

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Committee Overview

Introduction

In 1945, following the conclusion of the Second World War, the United Nations (UN) was founded to maintain international peace and security, foster diplomatic relations between states, achieve international cooperation in addressing global problems and promoting human rights, and harmonize state actions towards these ends.[1] Article 7 of the Charter of the United Nations (1945) establishes six principal organs: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the Secretariat.[2] Of these, only the General Assembly has universal membership, rendering it a unique forum for discussion within the UN system.[3] As the normative centre of the UN, the General Assembly is a generator of ideas, a place of international debate, and a hub for new concepts and practices in the political, economic, humanitarian, social, and legal spheres.[4]

Governance, Structure, and Membership

All 193 UN Member States are represented in the General Assembly, with each Member State having one vote.[5] The General Assembly may grant Observer status to intergovernmental organizations, non-governmental organizations, and non-Member States or entities, which allows them to participate in sessions but does not grant them voting rights.[6] The General Assembly makes the majority of its decisions via consensus.[7] When a vote is held, regular decisions require a simple majority of members present and voting, while important decisions require a two-thirds majority of members present and voting.[8]

The General Assembly has six Main Committees that are topically organized around the General Assembly's main fields of responsibility: the Disarmament and International Security Committee (First Committee); the Economic and Financial Committee (Second Committee); the Social, Humanitarian and Cultural Committee (Third Committee); the Special Political and Decolonization Committee (Fourth Committee); the Administrative and Budgetary Committee (Fifth Committee); and the Legal Committee (Sixth Committee).[9] The Main Committees discuss agenda items assigned to them, adopt draft resolutions, and submit a report on their work to the Plenary.[10] The Plenary then considers these reports and "proceeds without debate to the adoption of the recommended resolutions and decisions. If adopted by consensus in the committee, the Plenary decides by consensus as well; likewise, if adopted by a vote in the committee, the Plenary votes on the resolution or decision in question."[11] The Plenary may also decide to address an issue without prior reference to a committee.[12]

Each year, the General Assembly's regular session begins on the Tuesday of the third week in September.[13] Since its 44th session in 1989, the General Assembly has been considered in session

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[1] *Charter of the United Nations, 1945,* Art. 1.
[2] Ibid., Art. 7.
[3] UN General Assembly*, General Assembly of the United Nations.*
[4] Thakur, *The United Nations, Peace and Security*, 2006, pp. 91, 162; UN General Assembly, *Functions and powers of the General Assembly*
[5] *Charter of the United Nations, 1945,* Art. 18.
[6] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 30.
[7] New Zealand, *United Nations Handbook 2017-2018*, 2017, p. 12.
[8] Ibid.
[9] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 18.
[10] New Zealand, *United Nations Handbook 2017-2018*, 2017, p. 23.
[11] Smith, *Politics and Process at the United Nations: The Global Dance*, 2006, p. 161; Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly,* 2011, p. 62.
[12] New Zealand, *United Nations Handbook 2017-2018*, 2017, p. 23.
[13] Ibid. p. 17.

throughout the year.[14] The busiest period, otherwise known as the "main part of the General Assembly," lasts from the start of the session in September until the end of December; it includes the general debate and most of the Main Committees' work.[15] The remainder of the year, or the "resumed part of the General Assembly," involves thematic debates, consultation processes, and working group meetings.[16] In addition to the regular session, the General Assembly may also hold special sessions on individual issues at the request of either the Security Council or a majority of Member States.[17]

The President of the General Assembly (PGA) is the largely ceremonial head of the General Assembly, elected each year by a simple majority of Member States to a non-renewable one-year term.[18] The PGA's duties are to facilitate Plenary sessions by directing discussion, managing the administration of meetings, and enforcing the General Assembly Rules of Procedure.[19] The PGA does not preside over all six General Assembly committees separately; rather, Chairs and Vice Chairs are the facilitators of individual committees.[20] The PGA also performs executive duties, such as meeting regularly with the Secretary-General, the President of the Security Council, and the President of the Economic and Social Council; communicating with the press and the public; and organizing high-level meetings on certain thematic issues.[21]

As a main organ of the UN, the General Assembly does not report to any other organ.[22] It receives substantive and organizational support from two important entities: the General Committee and the Department for General Assembly and Conference Management (DGACM).[23] The General Committee is comprised of the PGA and the 21 Vice-Presidents of the General Assembly, as well as the Chairpersons of the Main Committees; all position-holders are elected each session on a non-renewable basis.[24] The General Committee's main duty, aside from making recommendations on organizational issues, is to allocate agenda items to the Plenary and the Main Committees from a preliminary list received from the UN Secretariat.[25] The DGACM acts as the intersection between the General Assembly and the Economic and Social Council (ECOSOC) and provides valuable technical secretariat support, mainly through its General Assembly and ECOSOC Affairs Division.[26] Within the UN Secretariat, other departments and offices offer both substantive and technical support to each of the six Main Committees.[27]

Mandate, Functions, and Powers

The mandate of the General Assembly is defined in Chapter IV (Articles 10-22) of the Charter of the United Nations.[28] As stipulated by Article 10, the General Assembly is broadly tasked with discussing "any questions or any matters within the scope of the [Charter] or relating to the powers and functions of any organs provided for in the [Charter]," and it may make relevant recommendations to Member States or to the Security Council.[29]
Functions and powers of the General Assembly include the following:

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[14] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 14.
[15] Ibid.
[16] Ibid.
[17] Ibid.
[18] Ibid., p. 16.
[19] Ibid.
[20] Ibid., pp. 15 & 18
[21] Ibid., p. 16-17.
[22] *Charter of the United Nations, 1945*, Art. 98.
[23] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 17.
[24] Ibid., p. 18.
[25] Ibid., p. 17.
[26] Ibid., p. 24; UN DGACM, *Functions of the Department.*
[27] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, pp. 63-68.
[28] *Charter of the United Nations, 1945*, Ch. IV.
[29] Ibid., Art. 10

- While the General Assembly may address matters of international peace and security, any such matters requiring action must also be referred to the Security Council. Further, the General Assembly may not make recommendations related to any dispute or situation in respect of which the Security Council is exercising its functions.[30] The only exception is if the Security Council fails to reach a decision on an issue due to lack of consensus among its permanent members, at which point the General Assembly may convene an emergency special session within 24 hours to address the issue in question.[31]
- The General Assembly may initiate studies and make recommendations to promote international cooperation in the political, economic, social, cultural, educational, or health fields; the development and codification of international law; or the realization of fundamental human rights and freedoms.[32]
- The General Assembly may make recommendations "for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations."[33]
- The General Assembly may create subsidiary organs "as it deems necessary for the performance of its functions."[34] Main Committees are therefore capable of introducing resolutions that can lead to the creation and funding of agencies or meetings, as well as ad hoc committees or working groups, that consider a particular question with the purpose of reporting to the General Assembly.[35]
- The General Assembly receives and considers regular reports from the Security Council and from other UN organs.[36]
- The General Assembly considers and approves the UN's budget and apportions expenses to be borne by individual Member States.[37]
- The General Assembly "elects the 10 non-permanent members of the Security Council and the 54 members of the Economic and Social Council. Together with the Security Council, but voting independently, it elects the members of the International Court of Justice."[38]
- The General Assembly also elects the members of its subsidiary bodies, such as the Human Rights Council and the Peacebuilding Commission.[39]
- Based on the recommendation of the Security Council, the General Assembly appoints the Secretary-General.[40]

Only resolutions adopted by the Plenary are put into effect as official resolutions of the General Assembly.[41] However, unlike Security Council resolutions enacted under Chapter VII of the Charter, General Assembly resolutions are not legally binding on Member States even after adoption by the Plenary.[42] Nonetheless, General Assembly resolutions represent policy norms reached by consensus among Member States, and they often lead to concrete action by the international community.[43]

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[30] Ibid., Art. 11-12.
[31] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 15.
[32] *Charter of the United Nations, 1945*, Art. 13; UN General Assembly, *Functions and Powers of the General Assembly.*
[33] *Charter of the United Nations, 1945*, Art. 14.
[34] Ibid., Art. 22.
[35] Weis, *The United Nations and Changing World Politics*, 2004, p. 161.
[36] *Charter of the United Nations, 1945*, Art. 15.
[37] Ibid., Art. 17.
[38] New Zealand, *United Nations Handbook 2017-2018*, 2017, p. 12.
[39] Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, pp. 72-73.
[40] New Zealand, *United Nations Handbook 2017-2018*, 2017, p. 12.
[41] UN General Assembly, *Functions and Powers of the General Assembly*.
[42] Ibid.
[43] Ibid.

Recent Sessions and Current Priorities

The 77th session of the General Assembly (UNGA75) opened on the 13th of September 2022[44], with the General Debate opening on the 20th of September 2022.[45] It is presided over by M. Csaba Kőrösi (Hungary).[46] The priorities of the 77th session follow its motto, "A watershed moment: transformative solutions to interlocking challenges"[47], and are as follows:

- Upholding the UN Charter.
- Sustainability Transformation.
- Integrated, Systemic Solutions.
- Led by Science.
- Increasing Trust and Solidarity.[48]

One of the high-level meetings that took place was the UNGA Platform of Women Leaders on the 20th of September 2022, with the theme "Transformative Solutions by Women Leaders to Today's Interlinked Crises." It gave female Heads of State and Government the opportunity to discuss their experience and to work on solutions to the ongoing problems women face when participating in politics.[49]

UNGA77 is the first main session since the start of the Russian aggression against Ukraine. Therefore, the regular plenary meetings were interrupted multiple times for the Eleventh Emergency Special Session of the General Assembly.[50] This resulted in two resolutions so far, A/RES/ES-11/4[51] and A/RES/ES-11/5.[52]

UNGA will hold 45 plenary meetings, as well as multiple informal meetings, until the end of the year.[53] In its 15th meeting, the General Assembly discussed strengthening the coordination of emergency humanitarian assistance of the United Nations regarding the situation in Pakistan.[54] [55] The 24th and 25th meetings offered a platform to discuss various Human Rights issues[56], resulting in the publication of multiple Human Rights Council resolutions since the beginning of UNGA77 [57]. In its 32nd meeting, the General Assembly endorsed the annual report of the International Atomic Energy Agency (IAEA) [58], and President Kőrösi remarked on the dangers of the war in Ukraine for nuclear safety and energy security.[59]

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[44] UN General Assembly, *Organization of the seventy-seventh regular session of the General Assembly, adoption of the agenda and allocation of items (A/BUR/77/1*).* p.4
[45] UN General Assembly, *Opening dates of forthcoming regular sessions of the General Assembly and of the general debate (A/INF/77/1)*, p. 1
[46] United Nations General Assembly, *President of the General Assembly*
[47] Federal Foreign Office Germany, *77th General Assembly of the United Nations: The world convenes for the summit*
[48] United Nations General Assembly, *President of the General Assembly*
[49] United Nations General Assembly*, United Nations General Assembly Platform of Women Leaders*
[50] UN General Assembly, *Schedule of General Assembly Plenary and Related Meetings - 77th Session*
[51] UN General Assembly, *Territorial integrity of Ukraine: defending the principles of the Charter of the United Nations (A/RES/ES-11/4)*
[52] UN General Assembly, *Furtherance of remedy and reparation for aggression against Ukraine (A/RES/ES-11/5)*
[53] UN General Assembly, *Schedule of General Assembly Plenary and Related Meetings – 77th Session*, 2022.
[54] UN DPI, *Speakers Stress Key Role of Technical Support, Nuclear Safeguards, as General Assembly Considers International Atomic Energy Agency's Annual Report, Adopts Related Text*, 2022.
[55] UN DPI, *Voicing Full Solidarity with People, Government of Pakistan, General Assembly Adopts Resolution Urging Scaled-Up Assistance to Help Country Rebuild from Massive Floods*, 2022.
[56] United Nations General Assembly (2022) *Delegates in General Assembly Support Human Rights Council's Monitoring of Crises Worldwide, Yet Some Say Double Standards Ignore Impact on Developing Countries,* 2022.
[57] Ibid.
[58] UN DPI, *Speakers Stress Key Role of Technical Support, Nuclear Safeguards, as General Assembly Considers International Atomic Energy Agency's Annual Report, (*2022)
[59] Kőrösi, C., *PGA remarks at the General Assembly plenary meeting on the report of the International Atomic Energy Agency (IAEA)* (2022)

The situation in Afghanistan was the topic of the 33rd meeting. Delegates expressed their concerns about the repression and Human Rights violations the Afghan people are facing[60]

The Leaders' Roundtable on Climate Action meeting during the United Nations General Assembly High-Level Week 2022 gave those present the opportunity to reaffirm their commitment to the 1.5-degree goal. It also served to highlight the need for global action once again in fighting climate change and the need for firm decisions during the Conference of the Parties 27 (COP27) in Egypt in November 2023.[61]

The UN General Assembly will go into recess on the 12th of December 2022, concluding the main part of UNGA77.[62] An informal plenary meeting to hear a briefing on solutions to internal displacement and a High-Level Event to launch the International Decade of Indigenous Languages will conclude this year's meetings.[63] Sessions will resume in January 2023.[64] Agenda items considered for the resumed part of the session are, among others, the role of diamonds in fuelling conflict, prevention of armed conflict, sexual exploitation and abuse and impact of rapid technological change on the achievement of the Sustainable Development Goals and targets.[65]

Conclusion

As the "chief deliberative, policymaking, and representative organ of the UN," the General Assembly plays a key role in the UN system as "a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter."[66] Outcomes reached by the General Assembly may define new norms that can promote peace, human rights, and development.[67] Going forward, the General Assembly will continue to be a cornerstone of international efforts towards a better world.[68]

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[60] UN DPI, *General Assembly Voices Deep Concern Over Volatility in Afghanistan since Taliban Takeover, Unflinching Commitment to Afghans, Adopting Resolution by Vote*. (2022)
[61] UN, *Informal High-Level Meeting of Heads of State and Government on Climate Change (Chair's Summary),* 2022
[62] UN General Assembly, *Schedule of General Assembly Plenary and Related Meetings - 77th Session*
[63] Ibid.
[64] Ibid.
[65] Ibid.
[66] UN General Assembly, Functions and Powers of the General Assembly.
[67] Thakur, *The United Nations, Peace and Security*, 2006, pp. 91, 162
[68] Sciora & Stevenson, *Planet UN: The United Nations Confronting the Challenges of the 21st Century*, 2009.

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This handbook, published annually by the Ministry of Foreign Affairs and Trade of New Zealand, is an effort to improve the information available to the international community on the UN system. It provides extensive information on the structure and membership as well the purpose of UN organs. As such, it represents the perfect introduction to the UN system as a whole for individuals less familiar with its complexity. Therefore, delegates should consider this a must-read during preparation for the conference.

Sciora, R., & A. Stevenson. (2009*). Planet UN: The United Nations Confronting the Challenges of the 21st Century. Editions du Tricorne.*

Inspired by the documentary Planet UN, this book offers an in-depth analysis of the role of the United Nations and its challenges for the 21st century. It gives special attention to three pillars: peace, development, and human rights. It also stresses the importance of the UN's ability to adapt itself to our changing world and to react to new threats such as terrorism or nuclear risks. An account of the genesis of the UN also allows delegates to understand how the UN was started with the intent of creating a system to maintain peace and security and to become the organization it is today. Furthermore, this book contains a series of testimonies of important personalities such as the last five Secretaries-General of the UN.

Switzerland, Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly.*

This publication by the Permanent Mission of Switzerland to the UN is another contribution by a Member State of introductory information about the UN system. The General Assembly is a central focus of this handbook. A detailed description of its organization, structure, rules, and working methods can be found. Further providing information specific to all six Main Committees, this handbook offers a unique source of information to delegates to understand the work of the General Assembly and its place within the UN system.

Thakur, R. (2006). *The United Nations, Peace and Security.* Cambridge, UK: Cambridge University Press.

Ramesh Thakur, a renowned commentator on the UN, examines the UN from a contemporary perspective in the context of factors such as human security. The author focuses on questions related to international peace and security. By doing so, he critically analyzes the use of force by the UN with the intention of making it more effective in the light of today's threats and with a particular focus on security and how it has evolved over the years and the role of the UN system including the General Assembly. His book is a valuable guide to the UN and offers an interesting perspective on international peace.

Weis, T., et al. (2004). *The United Nations and Changing World Politics.* Boulder, CO: Westview Press.

This book aims to provide a comprehensive understanding of international governance and the UN, human rights and humanitarian affairs, and building peace through sustainable development. While the authors outline the failures of collective security and the problems that the UN is facing when maintaining peace by military means, they address the role played by other UN entities such as the General Assembly in international security. As such, this book questions and analyses how the international community governs itself by outlining its successes and failures.

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I. Eliminating Child, Early, and Forced Marriage by 2030

Additions to Kelsea Gillespie, Mariam Bojang, Johanna Barton and Anisa Ricci written for NMUN New York 2019

Introduction

UNICEF and UN-Women have estimated that 640 million women globally have been married off as children.[69]

Role of the International System

One such emergency came with the COVID-19 pandemic. In a 2021 report UNICEF predicted that an additional 10 million girls worldwide will be at the risk of child marriage due to the pandemic.[70] There are various pathways by which the pandemic can increase CEFM such as school closures, economic instability and a shift of focus in health services from reproductive health to the pandemic.[71] Therefore, the UN Human Rights Council adopted resolution 48/6 in 2021 to call attention to the effects of crises such as the COVID-19 pandemic on the efforts to end CEFM. UNICEF and UNFPA published briefs on how programs aimed at ending CEFM might be adjusted to overcome the challenges of the pandemic and become more resilient in the future.[72]

The UN Human Rights Council further adopted resolution 53/23 in 2023 that aims at ending and preventing forced marriage. It calls upon Member States to draft laws that prevent forced marriages and hold all those involved in the process accountable. It further calls for stronger protection for those seeking to leave forced marriages. It also calls once more upon Member States to address the underlying causes that lead to CEFM.[6][73]

Education for All to Eliminate Child, Early, and Forced Marriage

With the COVID-19 pandemic leading to school closures, the risk of child marriages increases again. About 2 % of girls will never return to school after the closure, leading to a higher risk of early marriage.[74]

Concretely, the financial incentives often include a cash grant at birth and a long-term financial savings bond that can be redeemed upon the girls' eighteenth birthday. Parents who enroll their daughters in school during the entirety of this duration are also eligible for additional bonuses.[75]

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[69] UNICEF, *Is an End to Child Marriage within Reach? Latest trends and future prospects. 2023 edition*, 2023.
[70] UNICEF, *COVID-19: A threat to progress against child marriage*, 2021.
[71] Ibid.
[72] UNFPA-UNICEF, *Child Marriage in COVID-19 contexts: Disruptions, Alternative Approaches and Building Programme Resilienc*e. 2020; UNICEF, *COVID-19: A threat to progress against child marriage*, 2021
[73] UN Human Rights Council, *Child, early and forced marriage: ending and preventing forced marriage (A/HRC/RES/53/23)*, 2023.
[74] UNICEF, *COVID-19: A threat to progress against child marriage*, 2021.
[75] World Bank Group, *Eliminating Child Marriage to Boost Girls' Education*, 2014

Gender Equality and Empowerment of Women as a Solution to Child, Early, and Forced Marriage

When people in a community take action, they can change what is considered normal in society. In Sierra Leone, 60,000 community members participated in dialogues discussing gender equality and child marriage. A study found that 96 percent of those involved in the study now believe that child marriage should stop.[76]

[76] UNFPA-UNICEF Global Programme to End Child Marriage, *Global Annual Report - Sustaining the Gains in the Polycrisis Era - Country Profie Sierra Leone 2022*, 2022.

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II. The Impact of Terrorism and Counter-Terrorism Practices on Human Rights

Additions to Miranda Coleman, Anthony Bassey, Janet N. Ekezie written for NMUN DC 2020

Introduction

Deaths from terrorism fell to 6,701 in 2022, representing a nine percent decrease from the prior year.[77] However, terrorist attacks have become more deadly, killing on average 26 per cent more people per attack. The death rate rose to 1.7 people per attack in 2022, compared to 1.3 deaths per attack in 2021. This is the first increase in the lethality rate in five years.[78] Member States with fewer protections for human rights tend to also suffer from higher levels of terrorism.[79] Terrorist acts compromise human rights by undermining civil and socioeconomic liberties; these rights are largely affected by the direct consequences of terrorism and the psychological effects they pose on human rights. In 2017, the United Nations Human Rights Council (HRC) expressed in resolution 34/8 that terrorist acts restrict the enjoyment of social, cultural and economic freedoms, and harm the dignity of civil societies and democratic states.[80] UN General Assembly resolution 49/60, adopted in 1994, defined terrorism as acts intended to instill fear in the lives of individuals irrespective of the motivations and circumstances.[81] Though a single accepted definition of terrorism does not exist, it is imperative to recognize the impact that terrorism has on the enjoyment of all human rights.[82] Terrorism causes a ripple effect on societies and impedes not only the enjoyment of human rights presently, but also compromises the rights of future generations.[83] In many instances, actions taken to combat and prevent acts of terror can themselves result in violations of human rights, including commissioning "torture, inhuman or degrading punishment, or serious violations of the rights to a fair trial".[84]

International and Regional Framework

International and regional communities have established numerous frameworks for international action that situate the protection of human rights within the context of terrorism and counter-terrorism. [85]

The Office of the UN High Commissioner for Human Rights (OHCHR) considers nine documents and their optional protocols central to addressing specific concerns on human rights issues.[86] Of these, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Punishment, adopted in 1975 by the General Assembly, restricts the use of torture by representatives of state governments.[87] The Declaration notes that states have an obligation to prevent

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[77] Institute for Economics and Peace, Global Terroirsm Index 2023: "*Measuring the Impact of Terrorism*", 2023, p.2
[78] Ibid.
[79] Institute for Economics and Peace, *Global Terrorism Index 2016: Measuring and Understanding the Impact of Terrorism*, 2017, p. 70.
[80] UN HRC, *Effects of terrorism on the enjoyment of all human rights (A/HRC/RES/34/8)*, 2017, p. 2.
[81] UN General Assembly, *Measures to eliminate international terrorism (A/RES/49/60)*, 1995, p. 4.
[82] UN OHCHR, *Human Rights, Terrorism and Counter-Terrorism: Factsheet no. 32*, 2008, p. 7.
[83] UN High-Level Panel on Threats, Challenges and Change, A more secure world: Our shared responsibility, 2004, p. 27.
[84] UNODC, Kenya Training Manual on Human Rights and Criminal Justice Responses to Terrorism, 2016, p. 3.
[85] UN OHCHR, *The core international human rights instruments and their monitoring bodies*, 2017.
[86] 235 OHCHR, The core international human rights instruments and their monitoring bodies, 2017.
[87] UN General Assembly, Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/3452 (XXX)), 1975; UN General

the use of torture and may not use anything resulting from torture as evidence against a suspect in legal proceedings.[88] The Declaration defines torture as an act perpetrated by a public official that causes "severe pain or suffering, whether physical or mental," in efforts to obtain information or to castigate an individual for an act they did or are suspected of.[89] The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) specifies that all Member States should ensure that acts of torture, as defined by the convention, are considered criminal law violations.[90] Additionally, it urges each Member State to impose legislative, executive, and judicial measures to prevent torture within its boundaries, including acts committed by terrorist groups.[91]

Regional organizations, such as the Organization of African Unity (OAU) aslo play an important role in promoting and protecting human rights; in 1999, the OAU adopted the Convention on the Prevention and Combatting of Terrorism, which highlighted the importance of nurturing tolerance and upholding moral values in the fight against terrorism.[92] The Arab Convention on the Suppression of Terrorism, adopted in 1998 by the League of Arab States, advocates for the protection of human rights and establishes anticipatory measures to defeat terrorism, including inhibiting the planning, organizing, and execution of terrorist acts, as well as measures to suppress terrorism through effective prosecution and regional cooperation.[93]

Role of the International System

Protecting and promoting human rights requires constant cooperation from international and regional bodies, and with the added challenge of combating terrorism, the need to protect and promote human rights increases significantly.[94] Information-sharing and capacity-building initiatives from Member States are central to reducing and eliminating the threats of terrorism.[95] In resolution 2178 (2014), the Security Council highlighted the importance of addressing violent extremism posed by foreign terrorist fighters (FTF) by upholding international and humanitarian law, and hindering the establishment of terror groups by accelerating the exchange of operational information.[96]

Since its creation in 2006, the HRC has adopted numerous resolutions which address terrorism in the context of human rights.[97] Resolution 34/8 recognizes the importance of strengthening intercultural understanding for conflict resolution and to stimulate respect for the rights acknowledge in the UDHR.[98] Also adopted in 2017, resolution 35/2 on "The right to education: follow up to Human Rights Council resolution 8/4" acknowledges the disruptive effect conflict and crisis have on the full realization of educational rights and encourages Member States to protect educational institutions and provide inclusive education for victims of conflict.[99]

Assembly, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Optional Protocol (A/RES/57/199), 2003.

[88] Ibid.

[89] Ibid.

[90] UN General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*(A/RES/39/46), 1984

[91] Ibid.

[92] OAU, *Treaty on Cooperation among the States Members of the Commonwealth of Independent States in Combatting Terrorism*, 1999, p. 1.

[93] LAS, *The Arab Convention on the Suppression of Terrorism*, 1998.

[94] UN Security Council CTC, *International, regional and sub regional cooperation*, 2017.

[95] UN Security Council, *Foreign Terrorist Fighters*, (S/RES/2178 (2014)), 2014, p. 2.

[96] Ibid.

[97] UN OHCHR, *Documents and Resolutions*, 2017.

[98] UN HRC, *Effects of terrorism on the enjoyment of all human rights*, (A/HRC/RES/34/8), 2017, p. 2.

[99] UN HRC, *The right to education: follow-up to Human Rights Council resolution 8/4* (A/HRC/RES/35/2), 2017.

General Assembly resolution 60/288 (2006) established the UN Global Counter-Terrorism Strategy (GCTS), which identifies four pillars essential to combating terrorism through a concrete Plan of Action.[100] The pillars include ideas within them such as identifying the root causes of terrorism; enacting measures to combat terrorism; building the capacity of Member States; increasing the capacity of the UN's work; and ensuring respect for the rule of law and all human beings while fighting terrorism.The Security Council's Counter-Terrorism Committee (CTC) works with HRC and OHCHR, as well as other human rights organizations on recommending counter-terrorism practices that do not sacrifice the human rights of the accused or of civilians.[101] Additionally, the CTC highlights the important role of women in countering terrorism and violent extremism, as women are often well poised to take preventative measures against the spread of violent extremism within their communities.[102]The UN Counter-Terrorism Implementation Task Force (CTITF) established the Working Group on Protecting Human Rights and the Rule of Law While Countering Terrorism to promote information sharing and strategies on human rights, while improving the capacity of states to counter terrorism.[103]

Additionally, the Special Rapporteur acknowledged that the right to life is non-deplorable as outlined in the ICCPR, and implored the international community to create a normative framework that outlines and protects the rights of victims of terrorism.[104] To this end, the UN Office on Drugs and Crime (UNODC) published G*ood Practices in Supporting Victims of Terrorism within the Criminal Justice Framework*.[105]

The UN recognizes the importance of collaborating with non-governmental organizations (NGOs) in the fight against terrorism.[106]NGOs such as Human Rights Watch (HRW) and the World Federation of United Nations Associations (WFUNA) have contributed valuable knowledge for the defense of human rights and the protection of the rule of law through democratic engagement.[107] HRW and the HRC collaborate to deliver country-specific reports and advance compliance of the rule of law.[108]

The Impact of Terror Incidents on Human Rights

Terrorism directly threatens one's right to life and often violates the right to the peace and security of persons.[109] If endangered, the loss of the right to life renders all other human rights meaningless.[110] Victims of terrorism frequently become targets on the basis of their race, religious beliefs, or other similar characteristics enshrined for protection in numerous human rights conventions.[111] Terrorist acts are often a consequence of political injustice, social disorder, and lack of government accountability.[112] These environments are conducive to terrorism and give rise to terrorist groups and recruitment, resulting in offenses such as systematic torture,

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[100] UN General Assembly, *The United Nations Global Counter-terrorism Strategy* (A/RES/60/288), 2006.
[101] 207 UN Security Council CTC, *Human Rights*, 2019.
[102] UN Security Council CTC, *Role of women in countering terrorism and violent extremism,* 2017.
[103] 208 Ibid.
[104] UN HRC, *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson: Framework principles for securing the human rights of victims of terrorism* (A/HRC/20/14), 2012, p. 4.
[105] UNODC, *Good Practices in Supporting Victims of Terrorism within the Criminal Justice Framework*, 2015, p. 3.
[106] UN OHCHR, *Civil society space and the united nations human rights system*, 2014, p. 2.
[107] Office for Democratic Institutions and Human Rights, T*he Role of Civil Society in Preventing Terrorism*, 2007.
[108] HRW, *Human Rights Council*, 2017
[109] UN General Assembly, *Universal Declaration of Human Rights* (A/RES/217 A (III)), 1948; UN HRC, *Effects of terrorism on the enjoyment of all human rights (A/HRC/RES/34/8)*, 2017.
[110] UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.
[111] UN HRC, *Effects of terrorism on the enjoyment of all human rights (A/HRC/RES/34/8)*, 2017, p. 3.
[112] *The Global Regime for Terrorism*, CFR, 2011.

rape, gender-based violence, religious and ethnic cleansing and genocide, and mass disappearances.[113] Member States without strong institutions may be unable to curtail the spread of these groups, due to lack of cohesive governance, capacity, infrastructure, and funding. The widespread incidence of terrorism further undermines democratic institutions, destabilizes governments, spreads fear among societies, insults human dignity, and impedes the enjoyment of all human rights.[114]

Perhaps the most critical long-term consequence that terrorism poses on the enjoyment of human rights is the cyclical threat to social and economic development.[115] Socioeconomic development and the promotion of human rights are largely dependent on the presence of good governance policies and fair justice systems; therefore, weakening judicial processes and the rule of law indirectly restricts rights and freedoms of individuals and contributes to an environment conducive to terrorism.[116] Lack of economic opportunities and weak economic growth also support the growth of terrorist organizations through the recruitment of unemployed individuals.[117] Attacks orchestrated by terrorist organizations intentionally target civilians with a mission to inflict political or religious views, destroy social peace, and impart a state of perpetual fear.[118]

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[113] UN OHCHR, *Human Rights Council holds panel discussion on the effects of terrorism on the enjoyment by all persons of human rights*, 2015.
[114] UN HRC, *Effects of terrorism on the enjoyment of all human rights*, (A/HRC/RES/34/8), 2017, p. 2.
[115] UN OHCHR, Human Rights, *Terrorism and Counter-Terrorism: Factsheet no. 32*, 2008, p. 7.
[116] UNODC, W*eak rule of law and lack of good governance a major threat to development*, says UNODC Executive Director,2013.
[117] UN OHCHR, *Human Rights, Terrorism and Counter-Terrorism: Factsheet no. 32*, 2008, p. 7.
[118] HRW, *No to Terrorism, Yes to Human Rights*, 2016.

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Office of the United Nations High Commissioner for Human Rights. (2008). Human Rights, Terrorism and Counter-Terrorism: Factsheet No. 32. Retrieved 15 August 2017 from: http://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf

This factsheet contains information on the broader scope of terrorism as well as specific challenges, including a section on the right to a fair trial, the right to economic and social rights, and the essence of protecting human rights. The factsheet also contextualizes terrorism and its impacts within broader international legal frameworks, which helps clarify binding obligations on Member States as well as terrorism groups. Delegates will find this guide essential as it methodically approaches and addresses the complexity of the topic.

United Nations, General Assembly, Sixtieth session. (2006). The United Nations Global Counter-Terrorism Strategy (A/RES/60/288). Retrieved 14 August 2017 from: http://undocs.org/A/RES/60/288

The Global Counter-Terrorism Strategy, adopted by the General Assembly, puts forth a plan of action to combat terrorism. This document details the four pillars to address terrorism, beginning with understanding the factors conducive to terrorism, in an attempt to prevent human rights violations before occurring. Addressing one pillar before proceeding to the next assists the global community in combating terrorism with a holistic and systematic approach. After reading this resolution, delegates will better understand foundational international efforts and be guided by this understanding while conducting investigations.

United Nations, Human Rights Council. (2017). Effects of terrorism on the enjoyment of all human rights (A/HRC/RES/34/8) [Resolution]. Retrieved 15 August 2017 from: http://undocs.org/A/HRC/RES/34/8

This resolution adopted by the HRC reaffirms its commitment to defeating terrorism while complying with international human rights law, strengthening states' capacity to uphold the rule of law, and increasing public awareness and education on the topic. The document accentuates the importance of human rights as outlined in the UDHR, notably Article 3, and further delineates the impact of terrorism on specific rights, such as socioeconomic, political, and civil rights. Delegates will find this resolution fundamental in understanding the work of the committee on this topic, as it discusses the progress of the body and makes suggestions to continue fighting terrorism.

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