



# SIMUN X

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# UNHRC

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November 5, 2011 at Saint Ignatius College Prep

# United Nations Human Rights Council (UNHRC)



Hello and welcome to the Human Right's council. I am Hollis Barth, your UNHRC Chair, and the recipient of the "Rising Star" award for St. Ignatius MUN this past year. While some of you may be intimidated by your first several conferences, remember that the Dias of this council is composed of very kind young ladies who will be glad to assist you with any queries you may have. Best of luck!

Hello delegates! My name is Angel, and I will be your political officer. This is my second year in Model UN, and I have been to three conferences. I am really excited to be on the Dias for such a fantastic committee! Remember, SIMUN X is a learning conference. That means our main goal is to help you all become better at Model UN. Don't worry if this is your first conference, just try your best and do your research! I promise this will be fun as long as you are involved in the committee.

Now that you know who we are, here's a brief introduction of our topics. Topic one will be the Controversy Regarding Freedom of Expression and Dissent. This is a timeless issue which knows no borders. Topic two is the Crisis in Libya. The crisis began with protests against Col Muammar Gaddafi, and the situation has only become more dramatic since its start in the Arab Spring. Topic Three is Violence against Women in West Africa. Violent acts are committed against many groups in many nations, but this particular situation is extreme and we feel it deserves the attention of our council. A majority of our topics are focused on and around the continent of Africa simply because of its current status as a hotbed of global and intracontinental activity.

**Delegates: Please read the limitations on Topic 2 before you begin your research for said topic. Thank you!**

## **Topic One: The Controversy Regarding Freedom of Expression and Dissent**

### **Introduction:**

Freedom of speech is the concept of the inherent human right to voice one's opinion publicly without fear of censorship or punishment. This "speech" is not limited to public speaking and is generally taken to include other forms of expression. The right is preserved in the United Nations' Universal Declaration of Human Rights and is granted formal recognition by the laws of most nations. Nonetheless the degree to which the right is upheld in practice varies greatly from one nation to another. In many nations, particularly those with relatively authoritarian forms of government, overt government censorship is enforced. Due to the prevalence of authoritarian rule and therefore oppressive censorship in our current world, this issue is particularly pertinent to the UNHRC. Freedom House, an international non-governmental organization which ranks the suppression of individual nations' freedoms, provides a scale by which it judges countries ranging from "free" to "partly free" to "not free". An alarming number of nations in the "not free" category are members of the United Nations. A goal of this conference is to address the disparity between a country's UN membership and its suppression of freedom.

### **History of this issue and UN involvement:**

Repression of the freedom to express one's opinion, no matter if it is agreement or dissent, does not have a beginning that can be specifically traced. Rather, it is a hulking issue that is as old as human existence. In years past the UN has not held its members to a high standard of provided freedoms, and member countries such as Eritrea and Algeria have recently been called out for egregious violations of the inherent right to free speech and dissent. Many of the countries, including some as developed as China, that have difficulty following freedom of speech statutes are largely located in Africa, the Middle East and Asia. According to Freedom House, European countries, Australia, and the United States compose some of the most free nations in the world. Eritrea, most notably, allows no independent media and cracks down immediately on any form of dissent. One of the poorest and smallest nations in Africa, Eritrea is now the largest prison for journalists; since 2001, fourteen journalists have been imprisoned in unknown places without a trial. Sudan, Libya, and Equatorial Guinea also have repressive laws and practices. In addition, many state radio stations (which are the primary source of news for illiterate people) are under tight control and programs, especially talk shows providing a forum to complain about the government, are often censored.

The United Nations has taken small steps to combat this oppressive trend, however, by implementing legislation such as the Universal Declaration on Human Rights.

The UN Universal Declaration of Human Rights (adopted in 1948) states in Article 19, that: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Technically, as a resolution of the UN General Assembly rather than a treaty, it is not legally binding in its entirety on members of the UN. Furthermore, whilst some of its provisions are considered to form part of customary international law, there is dispute as to which. Freedom of speech is granted unambiguous protection in international law by the International Covenant on Civil and Political Rights which is binding on around 150 nations.

In adopting the United Nations Universal Declaration of Human Rights, Ireland, Italy, Luxembourg, Monaco, Australia and the Netherlands insisted on reservations to Article 19 insofar as it might be held to affect their systems of regulating and licensing broadcasting. Because of this provision, these countries therefore are ineligible to be ranked "completely free" by Freedom House.

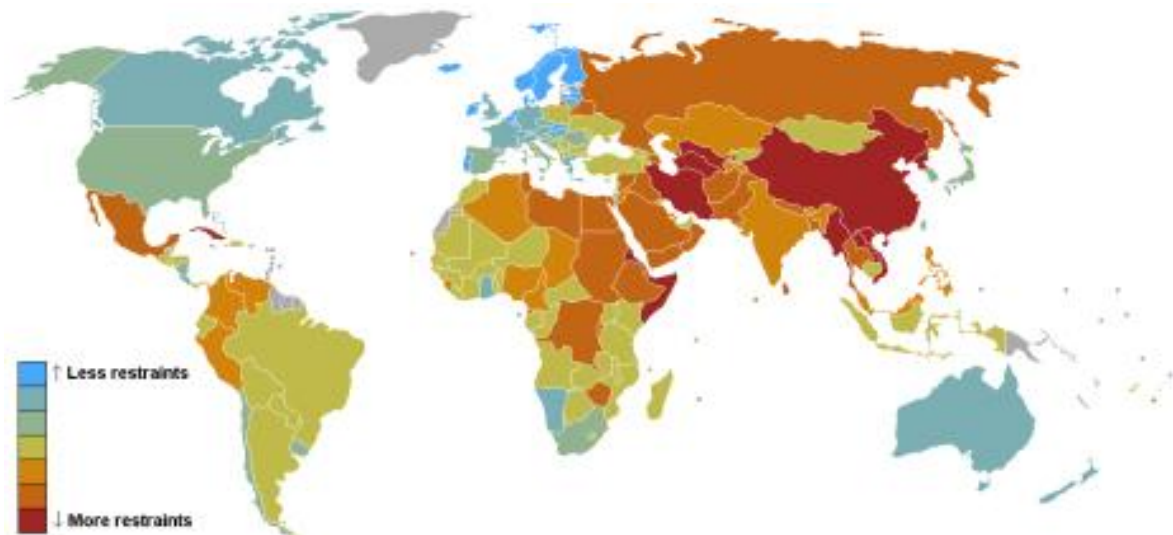
### **Current Status:**

We have chosen this topic for the UNHRC because there has been little to no action taken recently regarding violations of the freedom of expression. Eritrea still continues to function as a journalist prison. China remains one of the only countries in the Big 5 that does not allow its people uncensored access to the internet. Arab states such as Saudi Arabia and Yemen have some of the most repressed medias in the world.

### **Questions for Debate:**

1. Should countries be allowed to limit their people's freedom of expression and retain their membership in the United Nations?
2. Will China be able to maintain its large role in global politics while limiting the freedom of speech of Chinese citizens so they are unable to criticize their own government?
3. How can the UNHRC involve itself in finding solutions to the aforementioned violations of freedom?
4. Are countries who limit freedom of speech justified in doing so?
5. Should UN member nations be allowed to imprison foreign journalists?
6. Can the UNHRC pass any meaningful legislation to support the promotion of free speech in the modern world?

### **Bloc Positions:**



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### **Topic Two: The Crisis in Libya**

**Delegates: For the sake of debate, we are limiting the information relevant to this crisis to events occurring before August 1st and the fall of Gaddafi. Please exclude all the post-August 1st Libyan activity from your research and subsequent arguments. Thank you!**

## **Introduction**

The uprising in Libya began in February of 2011. Libyans throughout the North African region began protesting against Col Muammar Gaddafi and his 42 year long reign. These protests led to a full scale rebellion between citizens of Libya and the Libyan government. Most of the rebels joined together in Benghazi, where they set up their base. The government was displeased with the rebel action and bombed the rebels and surrounding towns. Pro-Gaddafi troops also launched assaults on the towns where the rebels exercised their influence, such as Benghazi, Ajdabiya, Tobruk, Misrata, Zawiya, and especially Tripoli. There were protests continuing in the capital at this time. Soon, the international community condemned the attacks on the civilians and the innocent ones who were not involved in the fighting or protests. The government tightened its grip on Tripoli and those residents were loyal to the government. Pro-Gaddafi forces seized many of the oil rich towns in Libya. The government ravaged towns where the rebels were staying and many innocent civilians were found dead, including women and children. The government denied the accusations against them and stated their troops were not killing civilians, only rebels. The brutal fighting continues with no clear end to the conflict.

## **History of the Crisis and UN Involvement**

By early March the UN Security Council had backed a no-fly zone over Libya in order to protect the Libyan civilians. Soon after, a UN resolution drew up attack plans. Col Gaddafi's government declared a unilateral ceasefire, but the troops continued to fight France, the United States, and the United Kingdom took part in the first missions, launching air strikes against the government forces, who had begun attacking the Rebel city of Benghazi. The air strikes were effective in enforcing the no-fly zone. The attacks also seemed to slow the government attacks on Benghazi. However, Col Gaddafi had promised a "long, drawn-out war with no limits." By April 30, 2011 Col Gaddafi announced his government was ready to begin peace negotiations with NATO to stop the air strikes. NATO responded to his request by stating there would be no further talk of negotiation until Gaddafi ceased attacks on civilians. NATO continued the air attacks, killing Gaddafi's son and three of his grandchildren, but Gaddafi survived. This appeared to be NATO's air strike peak, so NATO members began discussing the option of a ground operation, which would intensify the fighting. The International Criminal Court prosecutor sought warrants to arrest three suspects who might have killed hundreds of peaceful Libyan protestors in February. When the UN Security Council heard of this, the warrants were issued for alleged crimes against humanity. In order to enforce the arrests, foreign forces would have to be placed on the grounds.

NATO had made it clear for their desire for a mandate to send in troops. The UN Security Council would have to issue the mandate, and NATO knew that would not be very likely because of the growing number of civilian casualties in Libya. Russia, a prominent member of the UN Security Council, criticized NATO for going beyond the UN resolution. NATO strikes had killed some civilians, and Russia was concerned as to who would be punished for

those deaths. Many analysts believed that sending in ground troops would only escalate the fighting.

NATO began pushing for finances for the rebels in Libya. NATO claimed it would help protect the civilians in Libya. It was the belief of many that distributing money to one side of the civil war would not sit well with the other side. A possible solution to that problem would be to preserve that money until after the war. When the country needed to be rebuilt, there would be money set aside for that purpose. NATO began financing the rebels in early May. The air strikes brought the forces in Libya to a stalemate, so NATO kept pushing the idea of a ground campaign.

The International Contact group on Libya gave the rebels more money. Russia believed that the Contact group exceeded their authority by making decisions on the internal Libyan conflict. The French Foreign Minister had recently suggested Russia become a part of the Contact group on Libya before this began. The group consists of members of NATO and the Arab League. It was created at a summit in London to provide political guidance for all military and humanitarian assistance operations in Libya. The Russian Foreign Minister said he believes the only body that should adopt and monitor resolutions on unfolding conflicts, such as the crisis in Libya, is the UN Security Council. The UN had not created the International Contact group, and had not delegated the rights of adopting and monitoring resolutions to any other international group. Therefore, the Russian Foreign Minister thought this group was excessive.

Humanitarian concerns were not on NATO's agenda. A boat off the coast of North Africa carrying 600 people trying to flee the violence in Libya had sunk in early May. That raised concerns about the lack of humanitarian assistance on the part of NATO. Within the next few days, NATO launched bombardments on Tripoli. The UN humanitarian chief called for a pause in hostilities on all sides after this attack. The pause was called for the purpose of allowing time for food, water and medical supplies to reach the citizens.

Gaddafi appeared on TV after two weeks of speculation of his death in mid-May. Shortly after his TV appearance, NATO bombed Tripoli, killing six civilians and wounding twenty five. NATO continued to bomb Tripoli, causing humanitarian crises to unfold throughout the nation of Libya. The United Kingdom Prime Minister and the United States President held a joint press conference in late May. President Obama stated there would be absolutely no United States ground troops sent to the North African country of Libya. In early June, NATO successfully deployed attack helicopters in Libya. British and French helicopters were among the attackers.

The United Kingdom Foreign Secretary visited Benghazi to express Britain's support of the Libyan rebels. The Russian envoy visited Libya on a peace mission. It was an attempt to bring an end to the conflict on both sides through negotiations. The civil war in Libya raged on despite these efforts, and those efforts of NATO. In response, Russia and China intensified their diplomatic efforts to find a peaceful solution. The United States and its allies met in order to discuss the shaping of Libya in the post-Gaddafi era. The NATO Secretary General stated that despite the growing number of casualties in Libya, NATO planned to stay there as long as necessary.

After that statement, NATO continued the barrage of the Libyan capital, with no sign of any of the attacks stopping until Muammar Gaddafi is gone. A teenager in Libya attempted suicide for the sole purpose of avoiding the NATO airstrikes. What NATO called "efforts to protect people" caused that teen to choose taking his own life over the death surrounding him in his war-torn country. NATO deliberately targeted Gaddafi. By mid-June NATO declared its intent to expand military operations in Libya. The bombings are costly, and Western taxpayers foot the bill for the military intervention. NATO continued the bombings, which continued to kill civilians. The civilian casualties raised serious misgivings about NATO involvement in Libya, even supporters of the aerial campaign began to lose faith. The international community began to take sides. While all of this was happening, the people in Libya were suffering the most.

### **Current Situation and Potential Future Action**

Currently, Libya is still in a state of civil war. NATO bombings have not ceased. Muammar Gaddafi has threatened to attack the West because of NATO's actions. Libya is under a UN arms embargo, yet government held Tripoli intercepted a ship carrying weapons that were for the rebels. France admitted to providing weapons for the rebels. The UN Security Council established the ban on supplying weapons to either side of the Libya conflict. During a UN Security Council meeting, Russia criticized France for delivering weapons to the rebels. France justified its actions by stating it was taking "all necessary measures" to protect the civilians, which was mandated by the United Nations. Russia desires a diplomatic end to the conflict.

In mid-July, a disturbing event occurred that added concerns to the rebel effort. A mass grave containing the bodies of supposed pro-Gaddafi soldiers was found in the Nafusa Mountains in Libya. The corpses were mutilated, but it was clear that their clothing was not unlike Muammar Gaddafi loyalists' green uniforms. The incident raised serious concerns that the Libyan rebels might be abusing human rights. It has been reported by the Human Rights Watch that the Libyan rebels have previously looted and destroyed property, burnt homes and even beaten individuals who lived in pro-Gaddafi towns. The rebel military commander in the Nafusa Mountains, Colonel El-Moktar Firnana, admitted to some abuses. He stated that orders were given to rebel forces to not commit any attacks, yet those orders were violated and proper discipline was issued.

It is unclear as to what will happen in Libya in the future. Nations have spoken about the post-Gaddafi era, but have not found a path to get there. If a diplomatic end can be reached, then most nations will be satisfied. If the end must be reached through violence, then the opposite would be true. More United Nations resolutions can be passed, more fighting can be done, and more talking can be done. Perhaps only time will sort out the conflict. Perhaps the victors at the end of the battle, whether it is verbal or physical, will decide what becomes of the nation. Perhaps the United Nations will step forward and establish a government. Peacekeepers can be sent in to ensure the plan works for the nation. The civil war in Libya is unpredictable. It can be over within the next two years, or the next two decades. All that is clear is it must come to an end as quickly as possible to spare the lives of more Libyan civilians.

### **Questions to Consider for Debate**

1. How can the HRC limit the war crimes against humanity both during this crisis and in the future?
2. How can this conflict be most reasonably resolved, with the least amount of rights violated?
3. How can the HRC encourage a more humane approach to the violent NATO action in Libya?
4. What else can the United Nations do to help bring the civil war to a diplomatic end?
5. Is a diplomatic end possible?
6. Who will be held responsible for the deaths of innocents?

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## **Bloc Positions**

### **Eastern European States**

The Russian community has been vocal about the civil war in Libya. It is their belief that the Libyan rebels are not to be recognized. A diplomatic end to the conflict is possible and must be reached sooner rather than later. Russia has heavily criticized NATO for the bombings that have caused so many civilian deaths. Hungary, Poland, Romania, the Czech Republic, and the Republic of Moldova have similar views with Russia.

### **Western Europe and Other States**

France fully supports the rebels in Libya. It is their belief that a diplomatic end cannot be reached and therefore the best effort a nation can give is supplying weaponry to the side of the conflict that nation supports. Spain agrees, to an extent. Spain paid for some of the NATO bombings, and stopped when the expenses became too great. Italy and the United States, like Russia, would like a diplomatic end. Austria, Norway, and Switzerland also agree a diplomatic end would be best. Western Europe will not send in troops, and neither will the United States.

### **Asian States**

China strongly agrees with the position Russia has taken. Qatar has armed the rebels. India has remained mostly neutral, but deeply regrets all of the civilian deaths. India criticized the NATO airstrikes, along with China and Russia. Saudi Arabia, Thailand, Philippines, Maldives, Malaysia, Kyrgyzstan, Kuwait, Jordan, Indonesia and Bangladesh also are unsure of the NATO airstrikes and would like a diplomatic end with no troops.

### **Latin American and Caribbean States**

Most of these states have condemned the crimes against humanity committed in Libya. Other than this, they have remained neutral. The common belief is the crisis in Libya is a civil war that cannot be stopped by outsiders. The only country in this region that does not agree with this is Cuba. Cuba supports Muammar Gaddafi.

### **African States**

It is the common belief that the civil war in Libya must be stopped. The African States are appalled by the deaths of innocent civilians in Libya. Muammar Gaddafi must step down and allow someone else to take his place. Some of the African States who share borders with Libya have witnessed the violence firsthand and urge the war to end.

## Topic Three: Violence against Women in West Africa

### Introduction

Violence against all peoples has been a part of human nature since the times of Cain and Abel. However, the issue has grown to a level of international concern. Every country has their own laws to protect their civilians, but sometimes those laws do not protect everyone. It can be argued that morals should stop the offenders and protect the innocent, but that cannot always be the case. One of the most pressing examples of the extreme violence against a group of people is the violence against women in West Africa, particularly Sierra Leone. All of the countries above are involved in this situation.

The violence being discussed is sexual offense and domestic violence. Rape and human trafficking are the most common forms of sexual crimes committed in these countries. The question is not is this happening. The question is how this can be stopped. The women in these countries are suffering and their human rights are being violated. The United Nations Human Rights Council can lend a hand.

### History of Violence against Women and UN Involvement

**“Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women...”**

The United Nations Declaration on the Elimination of Violence against Women, General Assembly Resolution, December 1993. That act also gives a specific definition for the term “violence against women.” That definition is “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.” This definition covers all forms of violence against women.

Most commonly, the women who are affected by these crimes are kept silent. Whether their offender forces them to or they simply choose to never speak of the horrors again. With few reports, there is almost no way for proper action to be taken. Even so, of the reported cases, very few of the offenders are actually convicted. When offenders are convicted, they are usually released early or not given very long sentences. These offenders then continue their violent acts. It would seem to be a never ending cycle of abuse. Such a cycle will not go unnoticed by the United Nations. The United Nations Secretary General has a campaign called *UNiTE to End Violence against Women* which was launched in 2008 in order to prevent and eliminate violence against women and girls in all parts of the world. UNiTE aims to achieve five goals in every country by 2015: “adopt and enforce national laws to address and punish all forms of violence against women and girls, adopt and implement multi-sectoral national action plans, strengthen data collection on the prevalence of violence against women and girls, increase public awareness and social mobilization, and address sexual violence in conflict.”

This program calls for governments, civil society, women’s organizations, the media and the entire United Nations system to join forces in addressing the worldwide issue of violence against women. It would seem to be a never ending cycle of abuse. Such a cycle will not go unnoticed by the United Nations. The United Nations Secretary General has a campaign called *UNiTE to End Violence against Women* which was launched in 2008 in order to prevent and eliminate violence against women and girls in all parts of the world. UNiTE aims to achieve five goals in every country by 2015: “adopt and enforce national laws to address and punish all forms of violence against women and girls, adopt and implement multi-sectoral national action plans, strengthen data collection on the prevalence of violence against women and girls, increase public awareness and social mobilization, and address sexual violence in conflict.” This program calls for governments, civil society, women’s organizations, the media and the entire United Nations system to join forces in addressing the worldwide issue of violence against

women.

According to the United Nations Statistic Division, violence against women is a universal problem, rates of women experiencing physical violence at least once in their lifetime vary from about 12 percent to an alarming 59 percent. This variation is due to where these women live, the high 59 percent in Zambia, Africa. The most interesting key point the United Nations Statistic Division brings up is this "Current statistical measurements of violence against women provide a limited source of information, and statistical definitions and classifications require more work and harmonization at the international level." Statistics of violent acts against women are not kept, or if they are very few are. There should be no reason for there to be a limited source of information. The final key point from the United Nations Statistic Division is that in many regions of the world longstanding customs put considerable pressure on women to accept abuse. These statistics are from 2006.

### **Current Situation and Potential Future Action**

There is no way to define what is current when it comes to violence against women. Just as there is no way to define when and where it began. It can be stated that the issue is ongoing in most parts of the world. There are nations where customs and traditions allow for the abuse of women and therefore discouragement there must be allowed to come in through outside help. The United Nations Human Rights Council condemns violent acts against women and girls in all nations and has passed legislation in the past to help the situation. However, there can always be more done to ensure the safety of the women and girls in West Africa in their own homes and in their hometowns. Every effort must be taken to complete this task. There are campaigns around the globe to stop violence against women and many of them will need help in the future to get their ideas heard more prominently in society. The United Nations Human Rights Council will continue to assess the situation and will take the action seen by these members to be necessary in order to stop the violence.

### **Questions to Consider for Debate**

1. How can violence against women be stopped?
2. How can options presented in question one be fully enforced?
3. Can individual countries establish and enforce laws on their own or is outside help necessary?
4. Has UNiTE established a reasonable time limit? If not, when can the issue be solved?
5. What can the UNHRC do to address this issue more directly?

### **Bloc Positions**

#### **African States**

Almost every nation in Africa has suffered this issue within their boundaries. These nations have made laws to protect the women but feel more outside help may be necessary.

### **Asian States**

This region of the world has also had issues regarding violence against women. All nations have laws against such acts, but certain rituals in certain cultures seem to be loosely translated enough that women can be harmed. These nations are not open to outside help.

### **Eastern European States**

The Eastern European states have laws against violent acts, but do not necessarily enforce them. A common issue with this is the women not coming out and saying what has happened to them. These states would also appreciate help without infringing upon national sovereignty, including changing rituals.

### **Latin American and Caribbean States**

The nations are aware of the abuses going on, but cannot do much to ensure they stop. These nations would appreciate outside help.

### **Western European and Other States**

These nations most strongly oppose the acts of violence against women. There are laws and protection programs in place in most of these nations. These nations would like to be the example for the others and lead the struggle to end violence against women.

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