



GA3

STUDY GUIDE

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COMUN 2024 General Assembly 3 - GA3 Study Guide

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Committee Mandate

The Third Committee of the United Nations General Assembly (GA3), formally referred to as the Social Humanitarian Cultural Committee or SOCHUM, primarily focuses on issues related to human rights, humanitarian affairs and fundamental freedoms in social and cultural affairs. The mandate of the GA3 can be broken down into three distinct parts :

1. **Social Issues** - The GA3 discusses and formulates policies on a range of social issues, including the advancement of the rights of women and children, the rights of indigenous people and the promotion of social development (such as family, ageing, crime prevention and international drug control)
2. **Humanitarian Issues** - The GA3 addresses humanitarian concerns, such as the treatment of refugees and displaced people and their rights, the protection of civilians in conflict zones and humanitarian assistance.
3. **Cultural Issues** - The GA3 also deals with matters related to the preservation and protection of cultural diversity. For example, the protection of cultural diversity and the promotion of fundamental freedoms, through the elimination of racism and racial discrimination.

Despite the large scope and mandate of the GA3, its principle goal can be encapsulated as the “advancing and preserving of human rights”.

Agenda

Practice Debate 1 Topic - Preventing violence and discrimination based on sexual orientation and gender identity.

Practice Debate 2 Topic - Examining ethnic cleansing with distinct reference to preserving the mandate of justice

Conference Topic - Securing the foundations of human rights amidst the upheaval of conflicts.

Message from the Head Table:

As chairs of General Assembly 3(GA3), we expect that delegates use this study guide as a foundation for further research, and use this to broaden their knowledge to guide their research and explore profoundly the vast array of topics that we have outlined, and not rely it on as your only source of research.

The committee mandate of GA3 is broad, and it often involves a nuanced examination of past and contemporary events worldwide. Even if the topics may seem easy and that of general knowledge, your independent research can discover new ideas and perspectives. We, as a committee, aim to see a solution-oriented, constructive debate for all the practice debates and the main conference, and to end up with realistic, feasible resolutions.

We are going to have a great variety of perspectives and opinions to hear from, as nearly all countries can be member states. That being said, we advise each delegate to maintain their country's stance as well as they can – even if your delegation's perspective varies from your own, personal opinion. However, also note that any profanity and malice towards other delegates will not be

tolerated. At the end of the day, we want to see constructive debate and a diplomatic attitude from all delegates. We hope that you meet many new people and make new friends, but remember that in debates, you must stick to your delegation's alliances. Staying true to your nation's position can be difficult, and we encourage you to do your best in taking on this role.

Chairs of the GA3:

Imra, Shimar, Soomin

PRACTICE DEBATE 1:

Preventing violence and discrimination based on sexual orientation and gender identity

Background

Every individual possesses a distinctive and inherently unique identity, shaped by both innate characteristics and life experiences, and, as enshrined in Article 2 of the Universal Declaration of Human Rights (UDHR), “*everyone is entitled to all the rights and freedoms outlined in [the UDHR], without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status*”. Despite these universal principles, the pressing issue of gender-based violence and social bias continues to persist in many parts of the world.

The concept of human rights and their acknowledgement has made significant strides in the past century, resulting in various international laws that articulate the essential dignity to which every individual is entitled to under diverse circumstances. However, the practical and unbiased implementation of legislation remains a challenge.

This challenge disproportionately affects minorities and vulnerable groups, including the LGBTQI+ community. Their quality of life is impacted not only by the physical and psychological harm inflicted by direct violence but also by the lack of access to appropriate legal and medical support. This topic extends beyond the evolving notion of identity in developed nations, delving into developing countries where dangerous practices like child brides and honour killing persevere through generations due to rigid social norms and ideals.

Striking a sustainable balance between preserving traditions and adhering to conventional law is a complex task. Nevertheless, it is an imperative endeavour as it serves to uphold the intrinsic value of human rights. Delegates are expected to bring about changes for this otherwise unequal world to foster inclusivity and respect for every individual.

Case Studies

- **Yemen**

Yemeni women face restrictions on movement in areas under Houthi control, where authorities require them to be accompanied by a *mahram* (male relative) in order to travel. Increased Houthi restrictions related to the mahram requirement have prevented Yemeni women from working, especially those who must travel. These restrictions also apply to Yemeni female humanitarian workers, which has made it more difficult for women to conduct fieldwork and has impacted access to aid for Yemeni women and girls.

- **Russia**

The Supreme Court of Russia recognizes the “international public LGBT movement” as “extremist,” and effectively outlaws any public LGBTI-related activity.

- **Apart from the given examples above**, in *Brunei, Iran, Mauritania, Saudi Arabia, Yemen, Uganda, and the northern states of Nigeria*, people can be sentenced to the death penalty if they engage in consensual same-sex sexual acts.

Talking Points

- Ensuring basic human rights and equality under the law
- Examining the existing legal frameworks and their loopholes
- Cultural norms and factors that deter the implementation of legal protection
- Honour killings
- Domestic violence and child marriage

Further Reading

- <https://violenceagainstchildren.un.org/content/most-vulnerable-children>
- https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/UNESCO_out_in_the_open_2016_En.pdf
- <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities>
- <https://www.amnestyusa.org/updates/the-horror-of-honor-killings-even-in-us/>
- <https://www.sciencedirect.com/science/article/abs/pii/S0145213419300080>

PRACTICE DEBATE 2:

Examining ethnic cleansing with distinct reference to preserving the mandate of justice

Background

Ethnic cleansing refers to the systematic removal or extermination of a particular ethnic, religious, or racial group from a specific geographic region. It often involves widespread acts of violence, persecution, and displacement with the intent of altering the demographic composition of an area.

Ethnic cleansing has not been recognized as an independent crime under international law. This is because the concept of ethnic cleansing is often closely associated with other crimes recognized by international law, such as genocide and crimes against humanity. The lack of a standalone classification for ethnic cleansing raises complex legal and political considerations. An interesting aspect of this phenomenon to consider is the different forms of ethnic cleansing that can occur – and its subsequent, subtle difference from genocide.

Ethnic cleansing has been observed throughout history, though the word was coined only in the 1990s, since the commencement of the Bosnian War (1992-1995). It is now acknowledged as a troubling moral and political issue in the contemporary world, ever since the world witnessed the appalling crimes committed by Nazi Germany during the Holocaust. The ongoing Israel-Palestine conflict vividly illustrates the persistent threat of widespread ethnic cleansing, particularly due to the grave danger faced by Palestinians.

Addressing this issue requires sustained global attention, diplomatic efforts, and a commitment to upholding human rights to prevent further devastation and displacement of vulnerable populations.

Case Studies

Apart from the given case studies, it is vital that you extend your research into other major cases of reported ethnic cleansing.

- **The Tigray Conflict**

Back in 2020, the Ethiopian government officially declared war on the Tigray People's Liberation Front (TPLF), accusing them of being a terrorist group. It is significant to note the ethnic composition in Ethiopia, and the role of the artificial borders placed during Western colonisation, as the main driving factors in this conflict, as it had in the Rwandan Genocide, in 1994. It is understood that the conflict was a result of multinational federalism and ethnic polarisation under the government led by a majority ethnic group, which the Human Rights Watch had called 'invisible ethnic cleansing'. The allied forces from Eritrea, the Amhara region, and the Ethiopian National Defense Force, launched a campaign against the Tigrayan communities which allegedly involved crimes against humanity and war crimes – sexual violence, forced displacement, detainment of civilians, blocking of humanitarian aid and extrajudicial executions. The insufficient response from the African Union and the UN Security Council deterred the process of upholding transitional justice and redressing crimes. Overall, this recent event reflects the commonly recurring political paradigm in cases of civil conflict mounting up to an ethnic cleansing.

- **The Rohingya Crisis (Myanmar)**

Since the 1990s, the minority Muslim group known as the Rohingyas have been systematically discriminated against in Myanmar, a predominantly Buddhist country. The Myanmar government launched a military operation against the Rohingyas in 2017, during

which they allegedly committed genocide, along with other human rights violations such as human and child trafficking, gang rape, and looting of property. The recent exodus of the Rohingya migration caused an influx of refugees seeking shelter on the borders, or to nearby countries, namely Bangladesh. Many of these refugees do not have legal citizenship status in either their source or host

nation due to exclusionary citizenship laws. Most importantly, these refugees lack access to vital services such as food, clean water, and education for children. This led to wider social and security problems, as economic desperation drove individuals to indulge in illegal practices such as migrant smuggling and sex trafficking. The former and current government denies all allegations related to the mistreatment of the Rohingyas, subsequently making reconciliatory practices difficult.

- **The Yugoslavian Civil War (former SFRY)**

The fragile union of the SFRY began to descend into years of civil conflict after the death of President Josip Broz Tito. In particular, the Bosnian war became notorious as one of the worst cases of ethnic cleansing in the 20th Century, with the mass genocide of Bosnian Muslims in Srebrenica. Also, following a failure of the international peacekeeping efforts, Bosnian Serb soldiers massacred, detained, and tortured over 8000 men in Srebrenica, which was supposedly a 'safe area' according to the UN. Other tactics used included murder, rape, de jure discrimination, and the confiscation and destruction of property to 'ethnically cleanse' Bosnia of non-Serb identities. Further, the violation of the agreement to let in humanitarian aid into Srebrenica was a deliberate manipulation by the Bosnian Serb Army to weaken the population of the enclave in preparation for their final offensive. It has been criticised over the years that inadequate justice mechanisms have been put in place since the signing of the Dayton Accords in 1995, with Serbia still denying its involvement in the conflict.

Talking Points

- The mechanisms of ethnic cleansing that result in a complete marginalisation of a particular ethnic group
- Proper recognition and distinction of ethnic cleansing in international law
- Importance of media bias and whistleblowers
- The socioeconomic causes and consequences of ethnic cleansing
- Transitional justice and reparation mechanisms catered to all stakeholders

Further Reading

- <https://www.history.com/topics/holocaust/ethnic-cleansing>
- <https://www.ohchr.org/en/press-releases/2023/10/un-expert-warns-new-instance-mass-ethnic-cleansing-palestinians-calls>
- <https://www.hrw.org/news/2022/06/16/ethiopias-invisible-ethnic-cleansing>

CONFERENCE:

Securing the foundations of human rights amidst the upheaval of conflict

Background

Why do conflicts occur? This is a fundamental question to consider when exploring this topic. During political conflicts, especially when they escalate to an armed one, safeguarding one's basic human rights becomes an utmost imperative, yet a challenge. This can include access to vital services, such as food and healthcare, freedom from torture and degrading treatment, the right to education, and more. The multifaceted landscape of conflicts requires a nuanced examination of geopolitical, and socio-economic factors to produce viable, constructive resolutions that exceed those in the status quo.

In recent events of humanitarian intervention in armed conflicts, there has been an increase in the prioritisation of maintaining security, and peace, and protecting cultural property in relation to international law. The application of international law during humanitarian intervention is tricky. The context and nuance of every conflict could not have been anticipated beforehand, thus giving rise to the problem of interpreting the scope of application for each legislature. For example, the interplay between the International Humanitarian Law (IHL) and the International Human Rights Law (IHRL). Specifically, you can explore various mechanisms of assessing each law, such as the *lex specialis* and the systemic integration principles.

Apart from the legal problems, ensuring that all civilians are treated with basic human dignity is no easy task. Intermediary bodies should be present to promote negotiations between humanitarian workers and the parties in conflict and must be able to oversee the process, ensuring that the most vulnerable populations have access to aid. The protection of whistleblowers and human rights activists must also be ensured. Furthermore, there are repeated controversies about the treatment of child soldiers, with many of them ending up in a detention centre.

Conflicts can be generally classified as constructive or destructive depending on their outcome and the damages done. It is your job as delegates to identify what distinguishes a constructive conflict from a destructive one, and the diverse aspects of the causes, process, and resolution to a conflict.

Case Studies

In the present-day global landscape, the proliferation of conflict zones is evident across different regions and countries. Despite the absence of large-scale conflicts like the Second World War, significant fighting persists. Therefore there is no deficiency of case studies from which, as delegates, you can draw valuable insight and lessons to analyse and understand the role human rights play.

Ukraine - Russian Conflict (2022 - Present)

The conflict between Ukraine and Russia escalated in 2022, leading to heightened tensions and clashes. The roots of the conflict can be traced to historical, political and territorial disputes, during the time of the Soviet Union and to even more recent events, with the Russian annexation of Crimea in 2014. The situation has involved military confrontations, hybrid warfare, and diplomatic struggles. Human rights concerns have arisen due to the displacement of refugees, high numbers of civilian casualties and allegations of human rights abuses from both sides. Within the context of the topic, the application of international humanitarian laws on the rules of war and, particularly, the use of cyber warfare are other interesting factors which you should also take into consideration.

Syrian Civil War (2011 - Present)

The Syrian Civil War began in 2011 with anti-government protests that evolved into a multifaceted conflict involving various factions. The war resulted in extensive human suffering including widespread displacement, destruction of infrastructure, and allegations of war crimes- with the use of chemical weapons on civilian populations by the ruling Bashar-al-Assad regime, the use of cluster munitions disproportionately affecting civilian population and an utter disregard of the Rules of War. The Syrian conflict has evolved into more than a civil war, with foreign interests playing a large role in shaping the magnitude of conflict. This transition into more of a proxy war has had many effects internally within the country and externally throughout the Middle East.

Talking Points

- The psychological impact on children and families of victims
- The recruitment of children in the armed forces
- Role of human rights activists
- The role of humanitarian aid organisations and NGOs
- Rebuilding societies in the aftermath of conflicts
- The difference between international humanitarian law and human rights law. These include the extra-territorial applicability of human rights law; the mandate and expertise of human rights bodies; terminological and conceptual differences between the bodies of law; particular difficulties raised in non-international armed conflicts; and the question of economic, social and cultural rights during armed conflict.

Further Reading

- <https://www.un.org/en/our-work/protect-human-rights>
- https://www.researchgate.net/publication/228150100_Challenges_in_Applying_Human_Rights_Law_to_Armed_Conflict
- <https://www.sciencedirect.com/topics/social-sciences/political-conflicts>
- <https://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/human-rights-in-relation-to-other-topics/human-rights-and-armed-conflict>

Technical Terminology

- **Discrimination** - prejudiced treatment of a group or an individual based on factors such as race and ethnicity, gender, religion, etc. It often results in the repudiation of equal rights and opportunities.
- **Ethnic cleansing** - intentional, systematic elimination of a specific ethnic, cultural or religious group from a specific region employing human rights violations and crimes.
- **Transitional justice** - measures implemented to address past conflicts and human rights abuses in a systematic manner, such as accountability measures and redress to victims.
- **Whistleblowers** - refers to individuals who disclose what was once confidential information, especially about illegal and unethical activities within an organisation.

Treaties and Conventions

- **Universal Declaration of Human Rights (UDHR)**
This is a milestone document that lays down fundamental human rights that are to be universally upheld. It plays the role of a common guideline for countries by specifying core concepts such as freedom, equality, and dignity.
- **International Human Rights Law (IHRL)**
This is a combination of a set of agreements, treaties, as well as customary international law to mechanise the protection of human rights.
- **International Humanitarian Law (IHL)**
This is a law tailored specifically for armed conflicts. This aims to restrict the harm caused by war and provide necessary assistance to non-participatory groups, such as civilians. It can be applied in both non-international and international conflicts.
- **The Geneva Conventions**
A set of 4 treaties that define the obligations of belligerents in armed conflicts, and the rights of non-participatory individuals. This can include civilians, wounded soldiers, and prisoners of war. However, there are numerous criticisms in terms of its practicality and vagueness in some of its articles.
- **International Covenant on Civil and Political Rights (ICCPR)**
This treaty concentrates on the promotion of civil and political rights, for example, the right to life, the right to a fair trial, freedom of religion, and freedom of expression. It also obliges its signatories to acknowledge and ensure these rights, ruling out discrimination within their own jurisdiction.
- **International Covenant on Economic, Social and Cultural Rights (ICESCR)**
It covers a broad scope of economic, social, and even cultural rights under the United Nations. It discusses the inherent socioeconomic entitlements of an individual, regardless of their nationality. It takes a holistic approach to enhancing the standard of living.