



SOCHUM

Social, Humanitarian and  
Cultural Committee

# STUDY GUIDE

## DISCLAIMER

This guide is produced for the sake of learning purposes only. No knowledge may be considered as an offence to an individual or state. The document would be aiding the delegates of College of Business management Model United Nations 2018 in developing a sense of what/how/where and why humans are suffering.

The matter below is only to give you an idea of both the topics; however, the dais strongly recommends every delegate to review further sources of data, also the provided links in the end of the guide would be helpful. We believe CBMUN 2018 would be a memorable and influential conference for all of us. Hope to see you at CBMUN!!

-Dais, SOCHUM.

## **Topic Area A: Rolling Crisis: Extra Judicial Killings**

### **BACKGROUND**

An extrajudicial killing (also known as extrajudicial execution) is the killing of a person by governmental authorities without the sanction of any judicial proceeding or legal process. The prohibition of "disappearances" and extrajudicial executions under international standards

***"No state shall practice, permit or tolerate enforced disappearances."***

-Article 2, UN Declaration on the Protection of All Persons from Enforced Disappearance ("Declaration on Disappearances").

***"Governments shall prohibit by law all extra-legal, arbitrary and summary executions ... "***

-Article 1, UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions.

"Disappearances" and extrajudicial executions are clear violations of fundamental rights proclaimed in the Violations of international human rights debarring him the rights promised to any human in globally clearly violating the before mentioned articles of the universal declaration of human rights:

Article 6

***Everyone has the right to recognition everywhere as a person before the law.***

Article 9

***No one shall be subjected to arbitrary arrest, detention or exile.***

The article 9 clearly states that every person is entitled to a fair trial and cannot be withheld or detained by any governmental body without a verdict nor can a person be exiled from one's own country.

Article 10

***Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.***

The article 10 of the Human rights charter Implies and stresses upon the fact of entitlement of every human to a fair clean and non-biased public hearing by an independent and impartial tribunal in the light of safeguarding the rights of the person the Judiciary is to give a final verdict upon the charge only by a fair trial with a non-biased approach.

## **CASE STUDIES**

Such atrocities can be witnessed in the following cases:

### A. Sopore: a case study of extrajudicial killings in Jammu and Kashmir

<https://www.amnesty.org/download/Documents/188000/asa200171993en.pdf>

This paper describes the extrajudicial killing of at least 53 men and women in the town of Sopore, Jammu and Kashmir, by members of the paramilitary Border Security Forces (BSF), who went on a rampage on 6 January 1993, setting fire to houses and looting shops. It contains the detailed account of an eye-witness to the killings, interviewed by Amnesty International outside India. In publishing this paper, Amnesty International wishes to draw attention to the pattern of grave human rights violations in Jammu and Kashmir. It involves persistent reports of thousands of arbitrary arrests and prolonged arbitrary detentions under special laws curbing important legal safeguards and thus facilitating human rights violations; notably "disappearances", routine torture of detainees so brutal that it frequently results in death, rape of women during search operations, and extrajudicial executions of unarmed civilians, often falsely labelled as having been the result of "encounters" or as having occurred in "cross-fire". Although Kashmir's Director General of Police, B.S. Bedi, has reacted to the recent killings in Sopore by saying they were "unfortunate" and by stating that "those who have committed excesses will be punished", the security forces have until now operated with virtual impunity in Kashmir.

The killings in Sopore are part of a consistent pattern of extrajudicial executions, often involving innocent civilians, which has developed since early 1990 in the state. The rate of such killings appears to be increasing. The incident in Sopore is believed to be the largest of its kind to have happened in Jammu and Kashmir since at least 47 people were arbitrarily killed in Srinagar on 21 May 1990 by members of the Central Reserve Police Force (CRPF) who opened fire to shoot to kill men and women participating in a funeral procession mourning the death of Srinagar's Islamic leader, Maulvi Mohammed Farooq. In Sopore itself, similar allegations of extrajudicial executions had been reported last year when, on 13 April 1992, 13 civilians were indiscriminately killed by BSF personnel who entered houses, dragged out inhabitants and shot them dead, some four hours after armed militants had fired at BSF personnel. This year, examples of such arbitrary killings of unarmed civilians include the shooting down of Dr Farooq Ahmad Ashai, an orthopaedic surgeon at the Bone and Joint Hospital in Srinagar, who had documented many cases of torture. DrAshai was shot dead a night when travelling in his car by a picket of the security forces, possibly the Central Reserve Police Force. Official reports that he died "in cross-fire" are not known to have been substantiated. In another incident, on 3 March, HamidaMattoo, a 35-year-old woman from Baramulla, was shot dead when she returned with her children to her house at MohallaJadeed by members of the security forces reportedly shooting indiscriminately. According to press reports this was in retaliation for an attack earlier that day by armed militants on the security forces, in Baramulla. Three days later, once more in Sopore, six people, including a child, a woman and two police constables, were shot dead on 6 March 1993 by the security forces when trying to cross the Jhelum river in a boat. The Director General of Police said their boat capsized and that those killed died in cross-fire between armed militants and soldiers. However, the local police and witnesses to

the incident reported that the security forces shot deliberately upon boats ferrying passengers across the river, apparently in retaliation after six soldiers and an officer were injured in a grenade attack by militants. Among the victims were Mohammad RamzanNajar, his wife Fatima Begum, Ghulam Ahmed Gazi, Reyaz Ahmad Sheikh, Peer Abdullah Ahmid Shah and Abdul Majeed Shah.

B. Philippines: Extrajudicial killings in the Philippines' "war on drugs"

<https://www.amnesty.org/en/documents/asa35/5517/2017/en/>

Since President Duterte took office in June 2016, there has been a campaign of violence against alleged drug offenders. More than 7,000 people have been killed, roughly one-third during formal police operations and the rest by unknown shooters. Based on 110 interviews and the documentation of 33 cases, this report shows that many drug-related killings are extrajudicial executions that directly implicate the police. The report also describes how the “war on drugs” as targeted the poor disproportionately. It reveals how at least some unknown shooters are assassins paid by police officers.

Capital punishment, also called death penalty, execution of an offender sentenced to death after conviction by a court of law of a criminal offense. Capital punishment should be distinguished from extrajudicial executions carried out without due process of law. The term death penalty is sometimes used interchangeably with capital punishment, though imposition of the penalty is not always followed by execution (even when it is upheld on appeal), because of the possibility of commutation to life imprisonment.

## **DEFINITIONS**

### **Death threat**

A death threat is a threat, often made anonymously, by one person or a group of people to kill another person or groups of people. These threats are often designed to intimidate victims in order to manipulate their behavior, thus a death threat can be a form of coercion. For example, a death threat could be used to dissuade a public figure from pursuing a criminal investigation or an advocacy campaign. In many jurisdictions, death threats are a criminal offense. Death threats are often covered by coercion statutes. For instance, the coercion statute in Alaska says: A person commits the crime of coercion if the person compels another to engage in conduct from which there is a legal right to abstain or abstain from conduct in which there is a legal right to engage, by means of instilling in the person who is compelled a fear that, if the demand is not complied with, the person who makes the demand or another may inflict physical injury on anyone.

### **Deaths in custody and successful interventions/adverse incidents**

There are five categories which define a death in custody or a death following contact with the police.

Category 1 – road traffic fatalities, including deaths of motorists, cyclists or pedestrians arising from police pursuits, police vehicles responding to emergency calls and other police traffic-related activity, this does not include: deaths following a road traffic incident (RTI) where the police have attended immediately after the event as an emergency service.

Category 2 – Fatal shootings, including fatalities where police officers fired the fatal shot using a conventional firearm.

Category 3 – Deaths in or following police custody including deaths that occur while a person is being arrested or taken into detention, deaths of people who have been arrested or who have been detained by police under the Mental Health Act (MHA) 1983, the death may have taken place on police, private or medical premises, in a public place or in a police or other vehicle, this includes: deaths that occur during or following police custody where injuries that contributed to the death were sustained during the period of detention deaths that occur in or on the way to hospital (or other medical premises) following or during transfer from scene of arrest or police custody deaths that occur as a result of injuries or other medical problems that are identified or that develop while a person is in custody deaths that occur while a person is in police custody having been detained under section 136 of the Mental Health Act 1983 or other related legislation.

It does not include: suicides that occur after a person has been released from police custody deaths that occur where the police are called to assist medical staff to restrain individuals who are not under arrest.

Category 4 – apparent suicides that occur within two days of release from police custody and apparent suicides that occur beyond two days of release from custody where the period spent in custody may be relevant to the subsequent death.

Category 5 – deaths during or following other types of contact with the police, including deaths following contact with the police, either directly or indirectly, that did not involve arrest or detention under the MHA 1983 and were subject to an independent investigation by the Independent Police Complaints Commission (IPCC). An independent investigation is determined by the IPCC for the most serious incidents that cause the greatest level of public concern, have the greatest potential to impact on communities or that have serious implications for the reputation of the police service. Since 2010/11, this category has included only deaths that have been subject to an IPCC independent investigation. This is to improve consistency in the reporting of these deaths. Forces must refer such deaths immediately to the IPCC, this may include: deaths that occur after the police are called to attend a domestic incident that results in a fatality deaths that occur while a person is actively attempting to evade arrest; this includes instances where the death is self-inflicted deaths that occur when the police attend a siege situation, including where a person kills themselves or someone else deaths that occur after the police have been contacted following concerns about a person's welfare and there is concern about the nature of the police response deaths that occur where the police are called to assist medical staff to restrain individuals who are not under arrest.

## **Topic Area B: Protecting Human Rights in Conflict Zones**

### **Background:**

There are currently over 50 conflicts of various intensities being fought across the world. When conflict occurs, it is inevitable that people will suffer, regardless of their role or beliefs. War disrupts normal civilian life and creates immense hardship for local populations. Furthermore, many communities flee and become refugees, thus putting strain on neighboring regions or states that may have otherwise remained unaffected by the issue at hand. In many modern cases, the combatants too are not given their due rights as laid down in the Hague Conventions of 1907 and the Geneva Convention treaties of 1949. Such widespread upheaval makes the development of a framework to safeguard human rights of all parties in times of conflict of the utmost importance.

### **Issues to discuss:**

A combatant is any person who takes a direct part in hostilities during a conflict. Combatants are further divided into two categories based on their adherence to the laws of war.

Civilians under the laws of war are persons who are not members of their country's armed forces or militias or who are not taking a direct part in hostilities in an armed conflict.

They are considered non-combatants and have some legal protection from the effects of war.

#### **1) Prisoners of war:**

Article 4 of the Third Geneva Convention (1949) lays down the criteria for distinguishing between lawful and unlawful combatants and the rights they have while captured.

##### **i) Privileged combatants:**

Privileged combatants include: members of the armed forces of a party to the conflict; members of militias which are commanded by a person responsible for their conduct, use distinctive and recognizable signs and emblems, carry arms openly and respect the laws of war; and members of resistance forces who take up arms against an invader without having time to organize themselves, provided they still carry arms openly and respect the laws of war.



In theory, only lawful combatants are eligible for prisoner of war (POW) status. POWs are entitled to the following:

- Humane treatment with respect for their dignity as human beings.
- Allowed to communicate with relatives, inform them of their capture and receive packages; however, the detaining authorities have the right to censor all mail.
- Given access to satisfactory food, clothing, lodging and medical attention.
- not to be used as forced labor without adequate remuneration and the taking of factors such as age and sex into account; all dangerous work to be purely voluntary
- Prompt repatriation upon the end of the conflict.
- Protection from torture; should not be forced to reveal information beyond name, rank, service number and age.
- Protection from retribution for lawful acts of war, such as killing enemy combatants.
- Allowed to communicate with the International Committee of the Red Cross.
- Accountability for those who breach the above rights.

However, adherence to these laws has varied greatly throughout history, even in modern times. Communist forces captured many United States service members as prisoners of war in the Vietnam War, who were maltreated for the duration of the war. Communist Vietnamese held in custody by South Vietnamese and American forces were also tortured and mistreated. Likewise in the Yugoslav Wars Serbian paramilitary soldiers killed prisoners at Vukovar and Škarbrinja; Bosnian Serbs were also responsible for killing POWs at the infamous Srebrenica Massacre in 1995.

## **ii) Unprivileged combatants:**

Unprivileged combatants are those combatants who have breached the laws of war in some manner. These include combatants who used treachery, for instance executing enemy soldiers who surrender. Spies, mercenaries, child soldiers, and civilians who take up arms without any extenuating circumstances are also classified as unlawful combatants.

As unlawful combatants may be punished for acts of war that are otherwise lawful, their status must be proven by a trial. Prisoners who do not meet the criteria for privileged combatant status and are suspected to be unlawful combatants are to be considered civilians or non-combatants and receive all the associated protections until such time that a fair, impartial trial to determine their status is convened. The same trial may also hand down appropriate sentences if they are proven to be unlawful combatants. Even if proven to be unlawful combatants, they are to be protected from abuse and are entitled to their basic human rights.

In many modern conflicts, the belligerents often include non-state actors such as militias and insurgent groups. Such groups often conduct guerilla warfare and do not use distinct symbols, nor carry arms openly. This makes them legally ineligible for POW status; however, many of the state actors in such scenarios do treat militants as prisoners of war. On the other hand in other countries, insurgents who surrender are viewed as traitors and criminals, and are tortured and executed summarily instead of receiving the treatment that they are due.

## **2) Extra-judicial killings and torture:**

An extrajudicial killing is the killing of a person by governmental authorities without the sanction of any judicial proceeding or legal process. Extrajudicial punishments are by their nature unlawful, since they bypass the due process of the legal jurisdiction in which they occur. Extrajudicial killings often target leading political, trade union, dissident, religious, and social figures and may be carried out by the state government or other state authorities like the armed forces and police.

In low-level conflicts such as insurgencies, state forces often torture or summarily execute captured insurgents because they consider them to be traitors or terrorists. Weak legal systems are another cause of extrajudicial killings; lack of accountability for both captured militants and arbitrary executioners gives an incentive to state officials to carry out summary executions of insurgents lest they escape or are acquitted.

Extrajudicial killings are not restricted to unlawful combatants. Belligerents occupying hostile territory may routinely detain, torture and kill civilians who are suspected to be aiding resistance efforts, for instance by being informants for the enemy or providing shelter and support to insurgents. Another case of terror being used as a weapon by occupying powers is that of ethnic or religious cleansing, where members of a group are targeted and killed or driven out of their homes to make the demographics of a region more homogenous. Human rights activists and dissidents who oppose such actions may also find themselves under

Threat. However, state powers do not hold a monopoly on violence against civilians and many non-state actors and terrorist groups have targeted civilians and non-combatants in the past. Examples of terror being perpetrated against civilians on both sides include the Kashmir conflict, the Syrian Civil War and the Russian insurgencies in Chechnya and the North Caucasus.

## **3) Socioeconomic Effects:**

The most visible effect of war is the devastation wrought upon the environment and infrastructure of a combat zone. While the physical destruction is devastating on its own, the socioeconomic fallout as a result may be even worse and may take decades to repair.

During wartime, public places such as schools, hospitals, markets and places of worship are often targeted for maximum effect. Even in cases where the combatants generally respect the sanctity of civilian life, the prevailing instability causes the general population to stay as far from a potential target as possible. This leads to a breakdown of society which has devastating consequences for affected populations.

School and hospitals cannot function when access to them is cut off. Education is the primary means of defeating poverty and uplifting communities; when it is disrupted over the long-term, efforts to defeat intolerance, ignorance and poverty are compromised. The destruction or closure of transportation routes such as railways and roads disrupt the economy of regions caught up in fighting, which drives these areas further into poverty. More importantly, closed routes prevent affected regions from receiving necessities such as food and fuel; many instances exist where people trapped in combat zones died of hunger and the climate rather than due to belligerent action.

An increasing number of conflicts worldwide are driven by religious or ethnic factors; when such wars occur, communities which previously lived together in harmony turn on each other as part of the slaughter, as happened in Syria and Rwanda. This devastates the social order and because of the prevailing intolerance, reconciliation and the recovery process may take much longer to give time for a sense of trust to develop again amongst different groups. The use of rape as a psychological weapon is a hallmark of such conflicts; combatants may seek to humiliate and demoralize members of other communities by assaulting them sexually. The Rwandan Civil War also established a precedent where rape can be considered an act of genocide if proven to be systematically perpetrated against members of a particular community. Although the vast majority of victims of war rape are women, men have also been assaulted; 80% of concentration camp inmates in Sarajevo during the Yugoslavian Civil War reported being raped by their captors.

#### **4) Refugees:**

Refugees are persons who have left their homes because they have suffered or may potentially suffer persecution on the basis of race, religion, nationality, political opinion or social category, or because they are fleeing a war. Such persons may be referred to as *asylum seekers* until recognized by the state where they make their request for refuge.

##### **i) Lack of physical and social necessities:**

Refugee camps are often formed in an ad-hoc, unplanned manner and this factor results in a multitude of difficulties. Since the host countries are often underdeveloped themselves, ensuring a steady supply of food and providing facilities for clean water are challenges. Sanitation is a major issue and often, camps are a hotbed of diseases like cholera, typhoid

and dysentery. Although camps may require more than adequate healthcare facilities, they are frequently unavailable due to either the remoteness of the camp or the lack of an adequate healthcare system in the host country as well. Although many refugees are able to cater to themselves economically, others are unable to and spiral further into poverty.

Education, a prime tool to help fight poverty, is also mostly non-existent.

## **ii) Right of return:**

Article 13 of The Universal Declaration of Human Rights gives humans the right to return to and reenter their country of origin. Although no international treaty has codified the right of return, it remains an important right of particular significance to refugees who have fled to other nations.

However, many refugees are often denied this right. This tends to happen mostly in the case of an ethnic or religious conflict and in the context of ethnic cleansing, when victims who fled demand the right to return to their territory whereas the perpetrators or new occupants claim that returning populations may pose a security threat to themselves. An example of such a case is the Israel-Palestine conflict; Israel refuses to allow displaced Palestinians the right to return to their lands due to the fear of communal strife between the returning Palestinians and the Jewish settlers who now occupy those territories.

## **iii) Dynamics of hostcountry:**

Although refugees often flee their land of origin out of fear of war or persecution, in many circumstances they could be caught up in the same situation in their host countries as well. For instance, Palestinian refugees were slaughtered right in refugee camps by Maronite militias in the Sabra and Chatilla massacres during the Lebanese Civil War. Furthermore, refugees became victims of the fighting in 2012 between government forces and rebels in the Yarmouk refugee camp near Damascus until both sides agreed to demilitarize the area.

On occasion, the refugees may themselves be the cause of their plight. In the aftermath of the 1948 Arab-Israeli, Jordan annexed the West Bank which led to a majority of Jordanians being of Palestinian descent. This led to the authority of the Jordanian central government being undermined in Palestinian enclaves and the border. The Palestinian Liberation Organization (PLO) also started functioning like a state within a state, searching vehicles, operating crime rackets and some even calling for the overthrow of the monarchy. This came to a head in September 1970, when the Jordanian Army began an offensive against the PLO, one that resulted in nearly 5000 Palestinian deaths and led to the expulsion of many from the country, becoming refugees for a second time.

## **5) Targetingpractices:**

During wartime, combatants are legally allowed to attack enemy targets or targets that may aid the enemy's war effort. Modern conflicts however, have blurred the line between soldier and civilian. As such, there is now great controversy over which targets can be lawfully attacked and which cannot.

### **i) Civiliantargets:**

Civilians and non-combatants are legally protected from attack during wartime under the Geneva Conventions and the 1998 Rome Statute, which makes it a war crime to intentionally target civilians.[7] However, most current conflicts involve guerilla warfare or terrorism where combatants may seek to blend in with the civilian populace. Many militant groups often take civilians hostage as human shields to protect against attack; the laws of armed conflict state that in case of an attack in such a situation, the belligerent who took the civilians hostage will be held responsible for the deaths and damage that occur.

Although belligerents are obligated to avoid hitting civilian targets to the greatest extent possible, they are allowed to hit targets in the pursuance of legitimate military goals. In the modern era, this translates into military attacks on targets such as transportation infrastructure and power grids that hold military significance, but may also be essential to civilian life. An example of such an instance is the First Gulf War in

1991; Coalition air forces launched an intensive air campaign against not just Iraqi military targets, but civilian infrastructure like bridges, power stations and roads to make the execution

### **ii) Reliefefforts:**

The Geneva Conventions describe and protect the rights of humanitarian aid workers. UNSC Resolution 1502 goes further and proclaims the act of attacking aid workers a war crime. Aid workers may come under attack for both economic and political reasons.

Kidnapping for ransom, suspending of aid to combat zones, and punishment for criticism have all been found to be motives for such incidents. These attacks may be carried out by both armed forces and militia groups.

Although belligerents are expected to refrain from attacking humanitarian workers, they are not obliged to allow them access into combat zones, or to provide them security. As a result, certain organizations such as Medecins Sans Frontieres operate on the basis of ignoring official bans or dangerous situations with respect to security. Humanitarian aid is often the last and most critical means of support that war-affected populations can rely on. When such operations are attacked or suspended, a critical humanitarian situation may get even worse. This plays into the hands of combatants, who may use starvation and disease as a weapon to force enemy populations to surrender.

### **iii) Persons indistress:**

According to Protocol I of the Geneva Convention, it is unlawful to attack persons parachuting from a plane in distress; even when they reach ground, they are to be given the opportunity to surrender before opening fire. This protection does not apply to airborne troops, Special Forces or intelligence agents who may be attacked even while they are in the air.

### **Case Studies:**

#### **1) Iran-IraqWar:**

The Iran-Iraq War was a conflict ignited by the invasion of Iran in 1980 by Saddam Hussain on the pretext of reclaiming land along the Shatt-al-Arab waterway that he claimed historically to be a part of Iraq. Hussain was further motivated by the fear of a revolution on the Iranian model by Iraq's own oppressed Shia minority, a concern shared by many of the Gulf States that supported Iraq in the conflict.

The war began when Iraq invaded the Iranian province of Khuzestan in September 1980. The Iranian military was badly affected by the Islamic Revolution in 1979 and was in poor shape without trained officers, a lack of spare parts and desertion rates approaching 60%. On the other hand Iraq had a modern military armed with the most advanced Soviet bloc weaponry; as a result, Hussain was confident of an easy and quick victory. However, the invasion Rallied Iranians around the Khomeini regime and led to the expulsion of Iraqi forces from Iran by 1982, after which the Iranian military invaded Iraq to topple Saddam Hussain. This offensive was also repelled and the war continued in this fashion till 1988, when Resolution 598, a UN ceasefire was accepted by both sides. This conflict also involved non-state actors, with the Iranian Mujahideen-e-Khalq fighting alongside Iraq and the Iraqi Kurds represented by the Kurdish Democratic Party and the Patriotic Union of Kurdistan backed by Iran revolting against SaddamHussain.

The conflict cost up to a million lives, with countless more left wounded, prisoners or homeless. Both belligerents were responsible for grave human rights violations. Shelling cities near frontlines was a common tactic and was responsible for thousands of casualties on either side. Iraq was also responsible for the use of chemical weapons against Iranian soldiers and civilians, as well as its own Kurdish population in violation of the Chemical Weapons Convention. Iraq also carried out mass executions and evictions of its minorities in the north such as Turkmen, Yazidis and Kurds; some legal experts believe Saddam could have been tried for genocide. Furthermore, POWs on both sides were mistreated and the repatriation process did not begin till 1990, a full two years after hostilities ended; some were even imprisoned till 1998. More than 144,000 Iranian children were orphaned by the war and the destruction caused ensured that their education and social welfare could not be adequately catered to. Destruction of healthcare facilities also ensured that people

afflicted by the wounds of war as well as complications from chemical attacks could not receive the required care.

## **2) War against ISIL in Iraq and Syria:**

The Islamic State of Iraq and the Levant (ISIL) is a Sunni jihadist organization that rose to prominence during the Syrian Civil War as one of the groups opposing the forces of Bashar al Assad. Originally formed as the Islamic State of Iraq (ISI), the organization started funneling fighters to Syria under the name of Jabhat al Nusra when the rebellion began in 2011. Jabhat al Nusra became known as the most effective anti-regime force on the ground and was the official al Qaeda affiliate in Syria. In 2013, the leader of ISI, Abu Bakr al Baghdadi announced a merger between JN and ISI, calling it ISIL; the merger was rejected both by JN and the al Qaeda leadership, which gave its blessing to JN. Clashes between ISIL and other Islamist militias in January 2014 led to the latter withdrawing from many fronts but consolidating its hold over its headquarters in Raqqa and in Deir- ez-Zor.

In June 2014, ISIL and allied fighters crossed into Iraq, ostensibly to aid Sunni tribes fighting the Shia-dominated Maliki government. The battle-hardened jihadists quickly routed the few Iraqi Army units resisting and established control over large portions of Sunni territory, including the crucial cities of Mosul and Tikrit. ISIL also made advances into Kurdish territory, nearly taking the Kurdish capital of Erbil before being halted by US airstrikes. The Yazidi town of Sinjar was also taken, prompting tens of thousands of them to flee and remain exposed and surrounded on Mount Sinjar without provisions until US airpower and Kurdish ground forces broke the siege. Counterattacks by the Iraqi Army and Kurdish Peshmerga have been successful in retaking some ground, though the conflict is ongoing.

Numerous human rights abuses have occurred during this conflict, with the majority attributed to ISIL. ISIL members have used terror as a weapon, killing enemies who surrender and beheading them as a warning to others. Although non-Sunnis are ISIL's main target, the organization has not shied from killing Sunni opponents as well; in late October and early November, over 300 members of the Sunni AlbuNimr tribe opposing ISIL were abducted and executed. The jihadists have also been accused of mass sexual violence and forced conversions in captured territories. Between five and seven thousand Yazidi women have been held in detention, from where they are sold into sexual slavery. Since the jihadist offensive began, over 7000 Yazidis have also been forced to convert to Islam; the Christians of Mosul were also forced to flee after being threatened by the insurgents. ISIL's enemies are also guilty of violating human rights. Shiite militias fighting ISIL alongside the Iraqi Army have been abducting and killing Sunni civilians as reprisals for ISIL's atrocities since June 2014, when ISIL launched its offensive. A report by Human

Rights Watch also found police and Iraqi Army complicity in at least one of the attacks on a Sunni mosque in Diyala that killed 34 people.

### 3) Insurgency in Kashmir:

The conflict over Jammu and Kashmir is nearly as old as the United Nations itself. Being the only Muslim-majority state in contemporary India, the controversy over whether the state belongs to Pakistan because of its Muslim population, or India because of the Dogra ruler's accession to the latter has caused four wars between India and Pakistan and continue to be a primary reason for the animosity between the two.

The conflict took on a new dimension after the 1987 elections in the state which were allegedly, now proven to be, rigged in favors of the pro-government candidate Farooq Abdullah. This sparked a continuing series of protests by the cheated Muslim United Front (MUF) and other groups till 1990, when Indian soldiers opened fire on unarmed protestors. From this point onwards, a popular insurgency started with Kashmiri militants backed by Pakistan attacking government and army personnel; protests by Kashmiri people were continuously attacked by the Indian military, further fuelling the insurgency. The bloodshed continued till 2000, when some militant groups laid down their arms, and 2004, when Pakistan decided to end support to the insurgents.

The insurgency has so far cost over 47000 civilian lives. Both sides have been accused of massive human rights violations. The Muslim Kashmiri militants have been repeatedly accused of launching a campaign of ethnic cleansing against the Hindu Pandit community which caused them to flee in large numbers, a charge that the former denies. On the other hand, the Indian military has been held responsible for the deaths of thousands of Kashmiris, militants or otherwise, who were killed by firing on protests, killed in an extrajudicial manner, or disappeared and likely died in detention as a result of torture.

Indian soldiers have also been accused of raping Kashmiri women as a form of reprisal. One infamous incident took place in the village of KunanPoshpora. Indian soldiers of the 4<sup>th</sup> Rajputana Rifles are accused of raping up to 80 women from the ages of 13-70. The Indian Army has dismissed the accusation as a hoax, though human rights organizations such as Human Rights Watch have asked for the case to be reopened



## **References:**

- 1) <https://www.icrc.org/applic/ihl/ihl.nsf/INTRO/375>
- 2) <http://www.nybooks.com/articles/archives/1970/nov/05/in-south-vietnamese-jails/>
- 3) <https://www.icrc.org/applic/ihl/ihl.nsf/COM/375-590008?OpenDocument>
- 4) <http://legal.un.org/icc/statute/romefra.htm>
- 5) <http://www.unhcr.org/pages/49c3646c125.html>
- 6) <https://www.un.org/en/documents/udhr/>
- 7) <http://legal.un.org/icc/statute/romefra.htm>
- 8) [https://www.un.org/docs/sc/unsc\\_resolutions03.html](https://www.un.org/docs/sc/unsc_resolutions03.html)
- 9) <https://www.icrc.org/ihl/INTRO/470>
- 10) <http://www.crimesofwar.org/a-z-guide/547/>

# **SAMPLE Draft Resolution**

## **Draft Resolution 1.2**

**Committee:** United Nations Human rights Commission

**Topic:** Advancement of Women in Rural Areas

**Signatories:** Afghanistan, Bahrain, Brazil, China, Costa Rica, Greece, Hungary, Italy, Kazakhstan, Madagascar, Mexico, Malaysia, Norway, New Zealand, Philippines, Qatar, Somalia, Sudan, Switzerland, UAE, USA,

The Council,

*Deeply* concerned with the Women Rights violations in rural areas' conflicts specifically in the case of civilians,

*Taking* note that these recommendations are made for the preservation of the Rights of women and that the rights of them are protected by other frameworks,

*Reaffirming* this council's commitment to eliminating rape and other forms of sexual violence even in conflicts and similar situations and ensuring that every women citizen gets equal rights,

*Ensuring*, no violence or abuse takes place especially against children,

1. *Appeals* developed countries should give fund to the victimized states for eliminating sexual exploitation of children, and that fund should be monitored by IMF;
2. *Emphasizes* to have a strict check and balance on existing laws on Child prostitution, and should be followed, along with maximization of penalties against violations of these laws;
3. *Suggests* family planning should be followed by the families;
4. *Suggests* to avoid child labor by improving our education system, so that people would be aware of their basic rights:
  - a. Universal declaration of human rights shall be part of the curriculum for secondary classes,
  - b. UNESCO should provide facilities to the under-developed countries, technical and vocational training institutes should be introduced;

5. *Recommends* territorial borders to be monitored by the states:
  - a. Thermal detectors should be introduced,
  - b. Modern technologies should be introduced to verify the visas;
6. *Affirms*, Social awareness program should be held for the parents who force their children for child labor:
  - a. Countries whose literacy rates are high should send their teachers for the conduction of social awareness programs,
  - b. Security should be given to the outsiders;
7. *Recommends* one NGO's which must be registered by the Red Cross; furthermore, NGO from each country should be monitoring all the NGOs in their state, the supervising NGO would be authorized as a subsequent subsidiary body of the Economic council of United Nations;
8. *Calls Upon* for Child marriage reforms should be held in every state:
  - a. Programs should be held once in a fortnight,
  - b. Educational programs should be conducted twice in a month in the countries where early child marriages are going on,
  - c. Trainers should come from hosting and developed countries or should be selected by UNESCO,
  - d. Public awareness programs should be held in various corners of the states, where people who are not education they should be given information regarding the effects;
9. *Encourages* implications of strict penalty laws:
  - a. If anyone breaks the laws of early child marriages, then he/she must be given the punishment according to the law;
10. *Further Recommends*, Women should be given their rights for marriages according to the article 16 of UDHR;
11. *Calls* to eradicate the early child marriages, following steps must be followed;
  - a. Support the families financially to eradicate the poverty,
  - b. By the support of developed countries and those who would be willing to support the under-developed, UN organizations should collect and monitor the funds proper use,
  - c. Proper management should be there to resolve the social evils,
  - d. Family planning should be enhanced and followed by the families;

12. *Suggests* information systems should be made better and new ways should be introduced to aware the masses about their rights for this, teachers should be called from countries where literacy rates are high enough:

- a. Proper educational system should be introduced,
- b. They should be given a monthly based income by the security of country's borders should be enhanced and proper checking must be done,
- c. Modern technology should be introduced on the borders to enhance the security.

## **SAMPLE POSITION PAPER**

**Committee: DISEC**

**Topic: Private Funding of Non-State**

**Actors – Threat to International Security**

**Country: France**

The 21st century has seen an increase in the number of factions against the so-called non-State military actors. Even though there is no such thing as a universally accepted definition on these groups, some features are commonly adopted when dealing with this issue: an organized group with, at least, a basic structure of command; its operations happening outside state control; the use of force to achieve political objectives; their irregularity of its military actions, in opposition to the most common military doctrines of regular armies; among others. Usually, common groups that turn into non-state military actors are rebel cells that challenge a State, non-internationally recognized representative entities and terrorist organizations, but they also may be troops from private military companies. The Middle East, by its turn, is not only an important region due to its geopolitical relevance—located in the crossroads of three continents and owning huge amounts of oil and natural gas—but also for all the recent conflicts in order at such place. During the first decade of the 21st century, the US and some Western and regional allies have triggered a couple of wars against Al-Qaeda and States in the region supposedly linked to it in order to dismantle the so-called terrorist menace—which, in fact, after all, still persists. Although these wars are still impacting the region, and also the whole world, other non-state military actors that are not commonly connected to terrorism have been involved in important conflicts, such as Hezbollah and Hamas against the State of Israel, being also polemic for its connection with States like Iran, which tend to view them as legitimate representatives of resistance movements. There was also the development of a growing presence of private military companies fighting those wars in the Middle East.

Therefore, this region of the world, nowadays, is home of maybe the most important and internationally well-known non-state military actors of our time. The UN CTC, as guarantor of international security and peace, must address such pressing and polemic issue. This topic is relevant not only due to the high polarization that it involves—since one side tends to see all these groups as radical and terrorist actors at the same time that the other side claims the importance to differentiate between all kinds of such groups—but also by the fact that the UN must evaluate all the efforts that it has been taking in regard to non-State military actors, especially after this whole decade of conflicts involving the Middle East and these groups, also updating its approach to them in such region, laying frameworks that must be used when dealing with this type of actors from now on. The Middle East has the most of the non-state actors hence improvised much.

France believes to maintain peace the international community needs much more than the ground on boots. The military intervention is not the solution to the problem, however, it could be the reason of chaos and it also stimulates the non-actors to retaliate. Notion of resolving the issue strategically was the base of United Nations hence we urge the nations here to stand out against the armed non-state actors in order to attain peace in the region and protect the world from

potential threats. Despite of the strong hold Syria extremely strong militant group such as ISIS has even been facing difficulty in conveying their message to the general public as seen in the past 1.5 million of the refugees has been seeking asylum in Germany. On common grounds such issues could be solved by maintaining a data base of all the activities collaborating UNWATCH with DISEC and UNCTC. Definitely the notion to cut off the supply of funds would be required in order to resolve the dilemma. In this scenario we suggest to have binding resolutions from the Security to monitor the sovereign states during the arm supply.