



Forum: The Human Rights Council

Question of: Protection of Human Rights in areas of ethnic and regional conflicts

Sponsors: France, Bahrain

Signatories:

Working Paper 2.1

Deeply concerned with the Human Rights violations in areas of ethnic and regional conflicts specifically in the case of civilians,

Taking note that these recommendations are made for the preservation of the Human Rights of civilians and that the rights of combatants are protected by other frameworks,

Emphasizing that on the conduct of hostilities, all actors be non-governmental or private security companies are due to respect international humanitarian agreements, especially to respect the principles of distinction of proportionality,

Reaffirming this council's commitment to eliminating rape and other forms of sexual violence even in conflicts and similar situations,

Believing that the council should be aware of cases of disrespect of this right and unlawful agreements that can be made by humanitarian organisations themselves that can restrict access to aid for the populations,

1) Believes;

a) that provided recommendations from Amnesty International and Human rights Watch are received and brought to the attention of the Human Rights Council.

b) that the HRC would like to clarify that this working group does not ex post facto assume that any State has committed human rights violations and that the duties in their observer capacity will be strictly limited to observation.

c) if an observer committee should find any concrete evidence of human rights violations, the HRC then recommends that it would be appropriate to send an expert panel, comprising multi-lateral representative experts to establish the facts of human rights violations and to assist the state concerned, in progressing to address the aforementioned abuses

d) that the HRC further recommends that upon the discovery of concrete human rights violations, the case be referred to the ICC or ICJ, as appropriate, in order that states may be held accountable for human rights violation cases on an individual, case by case basis.

2) Supports the creation of an "Emerging Conflict Commissioner on Human Rights" that will establish a position for investigation of Human Rights infringements via fact-finding missions, that are believed to be imminent in zones of regional or ethnic tension. This commission would be involved with incidents that the HRC had not previously addressed



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3) Strongly condemns the use of child soldiers in any armed conflict regardless of its nature, as well as the practice of slavery and the trade of human beings in any circumstances,

4) Notes that the use of educational programs may promote;

a) the holding of free and fair democratic elections in countries that may have been otherwise unable to hold such elections and believes that such programs should be instated wherever possible and welcomed,

b) the prevention of indoctrination of child soldiers or slaves at a young age

c) the increase in standards of health and lower the chances of potentially dangerous diseases spreading,

5) Notes poverty as a major cause of Human Rights abuses and encourages all states to give generously to programs of education such as those mentioned above,

6) Condemns the use of international terrorism especially when relating to regional or ethnic conflict and seeks to establish further operative clauses to this effect,

7) Deplores the idea that ethnic conflicts could be managed by governments with a bias towards any ethnic group and;

8) Believes ethnicity should have no place in the consideration beginning a conflict in a world where all humans are considered equal,

9) Emphasizes that a multicultural panel of states would be best placed to deal with conflicts of an ethnic nature due to their unbiased position,

10) Recognises the sovereignty of all member states and their jurisdiction over civil matters

11) Proclaiming that under a breakdown of government the sovereignty of a state may have to be bypassed in order to protect human rights,

12) Considers the investment in private security companies as a problem for the prevention of human rights abuses in ethnic and regional conflicts and subsequently;



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13) Requests that the states present clarify their position on the trial of security company personnel, stating which law they should be tried under for any crimes,

14) Trusts that the other states present will vote with the French Republic and the Kingdom of Bahrain in allowing security company personnel to be tried under the law of the state which hired them in,

15) Supports the idea that terrorist suspects that could be linked to either regional or ethnic conflict can be held by governments at their own discretion in circumstances where their release may be detrimental to state security,

16) Considers the USA's involvement in the recent Iraq war as an interesting case for discussion and proposals pertaining to the prevention of, or preemptive measures against future human rights abuses,



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