WASMUN General Assembly Background Guide

Greetings Delegates!

On behalf of the secretariat and the General Assembly 4th committee dais, we welcome you WASMUN 2016! It is our sincerest hope that we maybe able to guide you in producing fantastic work through the creation of committee resolutions that all of you will be negotiating through with each other. This year's selection of topics stem from combination of looking to forward progress with topics regarding to Outer Space and its uses in peaceful scientific purposes, a chance that allows you to look back at early efforts at how the international community has approached issues that stem from the final frontier, to emerging challenges in which commerce plays beyond our solar system. Another selection that we have looks back at how far we've come as a international community in the mission of disarmament, specifically in the issues that landmines have become a part of and how we can reduce lives lost by them to increasing the chances for peace to flourish without the use of such indiscriminate weapons. We look forward to seeing healthy dialogue as you take the mantle of your representative states and contribute to a challenging yet changing conversation about these issues.

Good luck and have fun!

Mark Orines, Director

Jacob Davis, Assistant Director

Mardav Jain, Committee Chair

Committee Overview

The General Assembly Fourth Committee (GA4) is one of the six main committees of the United Nations (UN). The General Assembly (GA) itself was established in 1945 by the Charter of the UN and is a forum for all 193 members of the UN to come together to discuss a wide range of international issues.[1] By Chapter IV, Article 18 of the Charter, each member of the General Assembly shall have one vote.[2] This has provided nations with the opportunity to set standards in international law, address political, social and legal dilemmas, and take action in cases where there are breaches of peace.

Functions and Powers

The General Assembly has a multitude of powers and is the representative and policy making organ of the UN. Regarding the principles of disarmament and the regulations of armaments, the committee may make recommendation to the Member States or Security Council. The General

[1] "General Assembly of the United Nations" UN General Assembly, http://www.un.org/en/ga/
[2] "Chapter IV: The General Assembly" UN Charter http://www.un.org/en/sections/un-charter/chapter-iv/index.html

Assembly may even request studies and make recommendations in order to promote international co-operation. The GA meets every year in regular session commencing on the Tuesday of the third week in September. It consists of a plenary body that receives reports from six main committees: Disarmament and International Security (First Committee), Economic and Finance (Second Committee), Social Humanitarian and Cultural (Third Committee), Special Political and Decolonization (Fourth Committee), Administrative and Budgetary (Fifth Committee), and Legal (Sixth Committee).[3] GA4 is the youngest of all committees and was formed only in 1993 through the merger of the Special Political Committee with the Fourth Committee in General Assembly, Resolution A/RES/47/233. It addresses a variety of issues from decolonization to peacekeeping and even outer space. The Fourth Committee also exclusively deals the issue of Palestinian refugees.

The Fourth Committee in its 70th Session[4], which took place on 15th September 2015, debated on several highly demanding topics. A draft resolution titled "Assistance in Mine Action" (A/C.4/70/L.8) was passed through which the committee urged all states to provide assistance to mine affected countries by providing reliable, predictable and timely contribution for all mine related activities. The assembly also agreed to reinstate four activities under the UN Programme on Space Applications through the draft resolution titled "Matters relating to activities under the United Nations Programme on Space Applications in 2016" (A/C.4/70/L.9).

Conclusion

The Fourth Committee continues to address a plethora of challenging international and political issues. It has one of the broadest mandates of all GA committees. Its importance is visible in the recent interest of the international community to come together and work through the issues of decolonization and outer space cooperation. The committee has a significant role to play in shaping the responses to these issues through the various resolutions it submits to the GA.

Research Guidelines

As with any Model UN experience, the arduous task of researching your topic hinges on the success you have in finding the adequate resources and utilizing the correct format in writing your **Position Paper**. Your position paper is a key resource in what you will be using to get your member state's stances, talking points and resolution contributions in committee. Your position paper content must provide clear understanding of the issue at hand; examples of how your member state has resolved or approached the issue in question and it should offer insight into how the international community should act to resolve such issue.

[3] "Main Committees" UN General Assembly http://www.un.org/ga/maincommittees.shtml
[4] "Fourth Committee" Meetings Coverage and Press Releases
http://www.un.org/press/en/content/fourth-committee

Tools and Resources

We encourage you in holistically seeking our viable resources in which will allow you to gain insight into your member state's stance on the following issues, here are a few examples to start with:

The CIA World Fact Book: https://www.cia.gov/library/publications/the-world-factbook/

United Nations Office of Outer Space Affairs: http://www.unoosa.org/

United Nations Mine Action Service: http://www.mineaction.org/unmas/

The UN Dag Hammarskjold Library: http://www.un.org/depts/dhl/

I. Improving Peaceful Cooperation Efforts on Matters of Outer Space and Outer Space Research

Introduction

In 1957, the USSR launched Sputnik, the first artificial Earth Satellite[5]. This historic scientific achievement led directly to the creation of NASA and the infamous Space Race, and then to the United States' manned mission to the moon in 1969[6]. This was a period of highly accelerated research, both on space and in many other fields, and the UN convened many times to hash out proper space law relevant to this time, which will be explored in the next section.

For example, Russia is solely responsible for crew transportation to and from the ISS now that NASA has retired its Space Shuttle. Crews are taken to the Baikonur Cosmodrome in Kazakhstan, the same facility from which the first artificial satellite and Yuri Gagarin's vessel were launched[7]. The next mission is scheduled for March 1st of this year for two astronauts, and American and a Russian, to undock from the ISS and land back at the Cosmodrome. They left on March 27th, 2015[8].

On the other side of the coin lie military uses. Although weapons of mass destruction are internationally banned from residence in space, normal weapons are not. This was not seen as a big issue during the Cold War because the fear was not of space firefights but of mass death raining from the skies, but now that we are advancing upon a new epoch of space development, the issue has been raised again in force. A PAROS (Prevention of an Arms Race in Outer Space) agreement is currently in the works, with a conference having been held in 2015 from January 19 to September 18 split into three parts[9]. Also in 2015, A/RES/70/27, titled "No first placement of weapons in outer space", was passed 12

International Framework and Committee-Specific Action

The international legal framework for space exploration is dependent on certain documents, referred to in the UN publication, *United Nations Treaties and Principles on Outer Space*, the purpose of which was to respond to the rapid development of space-faring instruments and vehicles which a set of internationally-recognized rules and procedures. The document was and is a sort of tone-setter: space is not no-man's land; it's every man's land. They will not all be listed here, but the critical ones will be discussed.

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5 "Sputnik." Sputnik. Accessed February 07, 2016. http://history.nasa.gov/sputnik/.

6 "Current Space Law Limitations and Its Implications on Outer Space Conflicts." EInternational Relations. Accessed February 07, 2016. http://www.e-ir.info/2015/06/16/current-space-law-limitations-and-its-implications-on-outer-space-conflicts.

7 Dunbar, Brian. "Baikonur Cosmodrome." NASA. 2006. Accessed February 07, 2016. http://www.nasa.gov/mission_pages/station/structure/elements/baikonur.html.

8 NASA. Accessed February 07, 2016. https://www.nasa.gov/launchschedule/.

9 "Proposed Prevention of an Arms Race in Space (PAROS) Treaty | NTI." NTI: Nuclear Threat Initiative. Accessed February 07, 2016. http://www.nti.org/treaties-and-regimes/proposed-prevention-arms-race-space-paros-treaty/.

The first of these documents, *Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space*, was passed by the General Assembly in its resolution 1962 (XVIII) in 1963. The purpose of this document becomes clear upon reading the first operative: "The exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind." In short, this resolution does several things: it first declares for the world that space is to be for humankind; it then defines the responsibilities of those States who wish to send their citizens to space in certain situations; and finally it marks astronauts as 'envoys of mankind' to be assisted however possible, regardless of country. This document was important for several reasons, namely that it set about general guidelines for space, and that it set the tone for international cooperation on space.

The *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space*, including the Moon and Other Celestial Bodies, adopted by the GA in resolution 2222 (XXI), also lays out some basic, but vital, limitations on State powers in space, including restricting claims on celestial bodies by any means and liability concerns for damages to other States' properties. There are also treatises devoted entirely to the safety of astronauts for one, restrictions on State activity for another, and so on. These treaties and principles form the basis for space law, and should be known on some level.

In November of 2015, the Commercial Space Launch Competitiveness Act became law. This bill has many functions, but one of the most controversial is under Title IV – Space Resource Exploration and Utilization. Under this title,

> A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States[10].

In other words, the US has given entrepreneurs assurance that, if the miners are US citizens, whatever they mine in space is their property under US law. In accordance with *Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space***,** any citizen of the US who enters space is the US' responsibility, but the *Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space* restricts ownership of any celestial body by a nation. Does a nation therefore have the right to legislate mining in space for only its own citizens?

Next Steps

As science and space exploration begins to include non-governmental entities and goals such as planetary colonization and expansion become ever more real, the UN will do its best to keep laws relevant, modern, and fair. While researching this topic, here are some questions to keep in

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[10] "Text - H.R.2262 - 114th Congress (2015-2016): U.S. Commercial Space Launch Competitiveness Act." Text. Accessed February 07, 2016. https://www.congress.gov/bill/114th-congress/house-bill/2262/text#toc-HEE062BAAFBDD4A43859C0142C68E67F9.

mind.

Questions to consider:

1. How should private entities interact and handle themselves in space?
2. How liable for private companies should governments be?
3. How can the GA encourage cooperation between countries to further the scientific benefits of space exploration for humankind?
4. Should governments cooperate with corporations for space exploration? How should the GA address this?

II. Disarmament of Mines in Past and Current Conflict Zones

Introduction

The first use of landmines was during World War II as a preventative measure for enemy troop movements and area denial. As munitions technology evolved, the nature of mine deployment also changed. Among the varieties of landmines in the world two types are prevalent: Anti-Personnel mines, often having proximity triggers in which if victims are simply near them they trigger it to go off, the other type is Anti-Tank or Anti-Vehicle mines which are more simplistic in triggering them by simply stepping on them, these have anti-disarming features that makes for a more difficult removal processes. In the 1970s, Cluster Bombs were being widely used in carpet bombing runs, through these munitions were instantaneous explosives there are some that have remained unexploded essentially making these remnants akin to planted mines. The presence of mines, sub-munitions and other explosive remnants of war (ERWs) or Unexploded Ordnances (UXOs) have presented challenges for crucial humanitarian aid and efficient peacekeeping operations in conflict and distressed areas. Today there are between 45 to 60 million landmines still buried in places of former and current conflicts such as fields, villages, roads and farmlands[11]. Approximately 75 countries have minefields in their borders. Every year there are thousands in civilian cases in which mines have killed or injured them, among most of these are children. Victims of mine blasts instantly killed or disabled for life. Approximately 1/3 of the world's countries are littered with mines and as much as 60 to 75 million landmines remain unexploded worldwide.[12]

Though the deployment, trade and use of mines has been banned via treaties and conventions, there are still significant challenges posed by the simple definition of what is a landmine, do such weapons that harm people directly are privy to such restrictions? And what about conflicts that have parlayed into the use of mines, how can they decrease the current use of weapons to meet treaty/convention standards?

International Framework and Committee Specific Action

In 1997, delegates from 122 countries met in Ottawa, Canada signed and ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction (The Mine Ban Treaty)[13]. This treaty outlawed the use of anti-personnel mines worldwide, today 156 countries are signatory to this treaty. The treaty states that member parties must never produce, develop or trade anti-personnel landmines. Along with such requirements, parties must also destroy all their stockpiled landmines within 4 years of agreeing to the treaty. As of 2008, 38 states have halted the use and trade of anti-personnel mines. However the following countries still produce and export landmines: Myanmar, China, India,

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[11] United Nations Mine Action Service, E-MINE, The Electronic Mine Information Network, www.mineaction.org

[12] ibid

[13] International Campaign to Ban Landmines, States-Parties, www.icbl.org/index/php/icbl/Universal/MBT/States-Parties

Nepal, North Korea, South Korea, Pakistan, Singapore, Vietnam, Iran, Cuba, the United States and Russia.

Apart from traditional landmines, another weapon type that has likened to being destructive in nature as traditional mines is Cluster Munitions, these weapon types are defined as having submunitions or bomblets that when left undetonated have effects that last as long as mines in areas[14]. In 2008, the Oslo Convention on Cluster Munitions was signed by 98 countries in an attempt to ban the use of cluster bombs. Today as many as 108 states have signed it, and 98 have ratified or acceded to it[15].

Case Study

Landmines in Afghanistan

Afghanistan has been a country wracked by civil war and foreign occupations. In 1998, a report came out stating that it was the "most heavily mined country in the world". An estimated 8-10 people were being injured or killed by landmines in areas affecting 1,585 villages around the country[16]. The presence of these minefields severely hindered efforts for people to return to their homes as their villages once farmlands had now become riddled with unexploded mines. Since then Afghanistan has received help from NGOs, private companies and over 8,000 workers in mine removal operations[17]. Despite those efforts, Afghanistan still remains heavily dotted with mine fields across the country according to a 2008 report. Even though Afghanistan has the longest mine clearance program, it is predicted that it will take 7 to 10 years to simply clear the highest priority areas.

Landmines in Myanmar

Southeastern Myanmar is one of the most dangerous places in the world when it comes to minefields concentrated in areas in populated areas of villages. Due to rampant conflict between ethnic rebel groups struggling for autonomy and government armed forces, the prevalence of mines has saturated the Burmese countryside for years, Myanmar being one of the parties to the Mine Ban Treaty of 1997 has been citied for having laid out more mines every year since signing the ban[18]. In Myanmar, the prevalence of mine use has become so widespread that civilians themselves have found means to acquire them often through the removal of previously planted ones and use them to as means to protect business assets and property, much to the chagrin of government officials calling for international assistance, the process of mine removal in areas has

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[14] United Nations Treaty Collection, Convention on Cluster Munitions, www.treaties.un.org
[15] International Campaign to Ban Landmines, History of Landmines, www.icbl.org/index.php/Problem/Landmines/History-of-Landmines
[16] The HALO Trust, History of Mine Laying in Afghanistan, www.halotrust.org/where-we-work/afghanistan
[17] ibid
[18] Landmines in Myanmar, Politically Explosive, The Economist, www.economist.com/news/asia/21581775-failure-clear-landmines-cast-doubt-myanmars-peace-process-politically-explosive

been painfully slow as the UN Mine Action Service and other anti-mine humanitarian groups have yet to start even surveying the areas[19].

Next Steps

In developing resolutions take into consideration the amount work that has been done to limit and restrict the use of mines overall. While there have been steps taken to ban certain types of mines, there are still other types of unexploded munitions that have mine-like effects on areas. Take an effort to address the issue of landmines in a holistic manner, or approach it in areas where there are possible loopholes or lack oversight. Take some of these into consideration:

Questions to Consider…

1. What is your member state's current stance of the Mine Ban Treaty? Has it signed it? Ratified it?
2. How has your country been affected by landmines? Does it suffer from lingering effects of having unexploded munitions?
3. Does your member state have stakes in the global trade of mines?
4. How would your member state define landmines, unexploded ordnances (UXOs) or explosive remnants of war (ERWs)?
5. Does your country have landmine assistance programs?
6. How can this committee further develop more awareness for this issue? As it may not simply pertain to the use of traditional landmines as danger.

[19] ibid