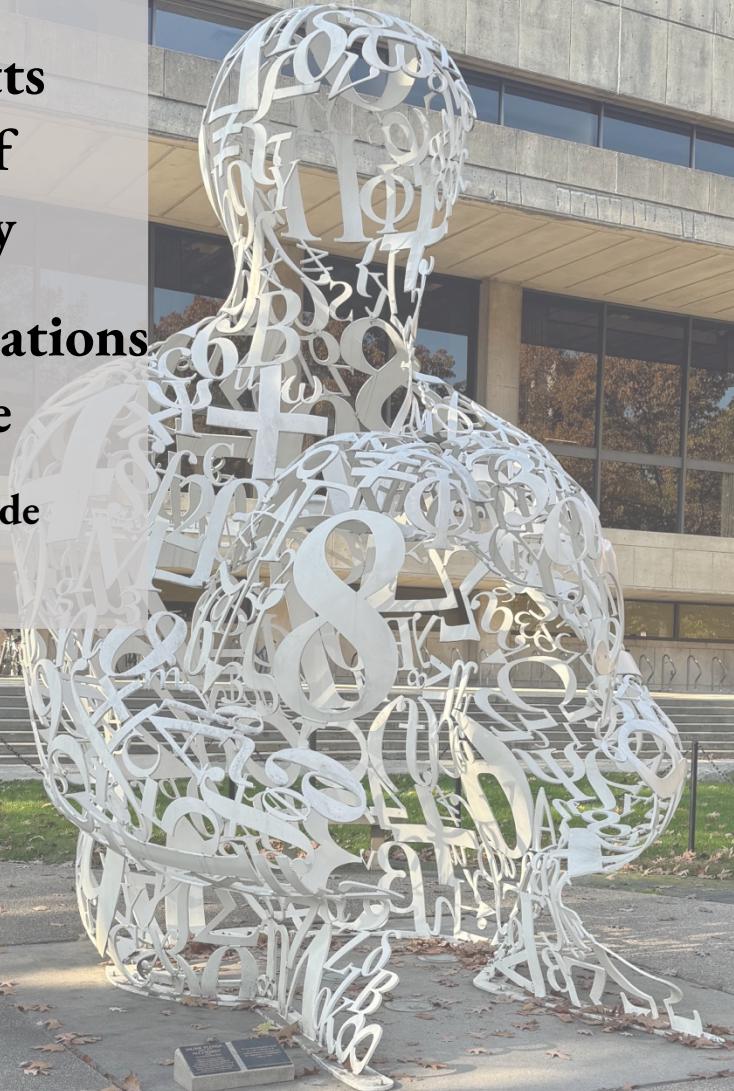




**Massachusetts  
Institute of  
Technology**

**Model United Nations  
Conference**

**Background Guide**



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## Letter from the Secretary Generals

Dear Delegates,

It is with great pride and excitement that we formally invite you to the Massachusetts Institute of Technology's 16th annual Model United Nations Conference!

MITMUNC is a premier Model UN conference in which students from all over the world come together to solve the most pressing issues facing society today. This year's conference will be held during the weekend of Friday, February 9th through Sunday, February 11th, 2024, in-person.

At its core, MITMUNC is planned, organized, and directed by a passionate and ambitious team of MIT students that collectively form a diverse family of academic backgrounds and experiences. Our chairs and staff coordinate MITMUNC's committees from the ground up, posing questions and controversies that even the most experienced delegates will find challenging. Our dedicated Secretariat members complement the chairs and staff by overseeing all conference preparations months in advance of the conference, in order to ensure that our delegates walk away with one of the greatest experiences of their lives.

In previous years, MITMUNC delegates grappled with complicated human rights, economic, and environmental topics such as the Syrian Refugee crisis, argued the pros and cons of nuclear energy in the International Atomic Energy Agency, and even reacted to a flurry of assassinations witnessed in the Historical Committee! Attendees also enjoyed inspiring keynote addresses by Nazli Choucri, Professor of Political Science at MIT and leading researcher in international relations and cyber politics, as well as Richard B. Freeman, Faculty co-Director of the Labor and Worklife Program at the Harvard Law School. Delegates also enjoyed a well-deserved respite at the Delegate Dance social night.

We pride ourselves in hosting smaller committee sizes. This allows our attendees more freedom to contribute and distinguish themselves in their individual committee sessions. MITMUNC offers its attendees a truly unique opportunity to immerse themselves in a demanding intellectual environment, exposed to the ideas of others and tasked to employ the art of negotiation to pass meaningful resolutions.

Having experienced MITMUNC as chairs, then as Secretariat members and Secretaries-General, we are both humbled and thrilled to guide MITMUNC into its best conference yet. I now invite you to explore our brand new website to learn more about our conference. Do not hesitate in contacting us should you encounter any doubts along the way. Best of luck in the path ahead!

Sincerely,

Your Secretary Generals: Jad Abou Ali and Maya Abiram

For further inquiries, do not hesitate to contact us at [sg-mitmunc@mit.edu](mailto:sg-mitmunc@mit.edu).

**MITMUNC XVI 2024**



## Letter from the Chairs

Dear Delegates,

My name is Nicolas Valayannopoulos-Akrivou, and I am thrilled to be serving as your Chair for the

International Court of Justice for MITMUNC 2024! I am first-year studying Mathematics, Computer Science, and Philosophy here at MIT. Born in Paris to Greek parents, I've spent my whole life in a whirlwind of international experiences and my passions and interests logically brought me to Model UN. I have competed in MUN since middle school and have found it to truly be an invaluable experience that has helped me develop as a leader, a communicator, a researcher, and a collaborator.

And I'm Lama Diriyyeh, and I am delighted to be your co-Chair this year in ICJ. I am an international first-year student from Palestine, prospectively majoring in Mechanical Engineering. I have been involved in Model UN since my first year of high school and it has been one of the most influential journeys in my life! Beyond the debate, writing, and public speaking skills that I have earned, my MUN experience has given me the means to effectively communicate ideas in any setting and collaborate with others in meaningful ways.

For this year's committee, we have chosen two extremely important topics that will have major implications on international law and geopolitics. Regardless of which topic you choose, we have faith that you will bring a high level of research and substance to engage in fruitful deliberation and debate.

Sincerely,

Your Chairs: Nicolas Valayannopoulos-Akrivou & Lama Diriyyeh

For further inquiries, do not hesitate to contact us at [icj-2024-mitmunc@mit.edu](mailto:icj-2024-mitmunc@mit.edu).

**MITMUNC XVI 2024**



## Committee Introduction

The World Court, officially known as the International Court of Justice (ICJ), emerged from the 1945 San Francisco Conference on International Organizations and began its mandate in April 1946. Established to resolve inter-state legal disputes, it operates through contentious cases—binding rulings on disputes between consenting member states—and advisory opinions for authorized UN organs.

Comprising 15 judges elected by the UN General Assembly and Security Council for nine-year terms, the ICJ abides by legal documents like the UN Charter, the Court's Statute, the Rule of the Court, and Practice Directions. Its jurisdiction covers disputes among UN member states while offering advisory opinions, exemplified in its counsel on Kosovo's statehood in 2011.

As the principal judicial organ of the UN, the ICJ settles disputes submitted by parties under its statute, excluding intervention in state matters. While all 193 UN member states adhere to the ICJ Statute, provisions exist for non-member entities. Unlike other UN bodies, the ICJ prioritizes resolving disputes based on international law rather than drafting resolutions, emphasizing the judges' adherence to international legal principles.

Functioning as the sole international court for inter-nation disputes, the ICJ has handled over 177 cases since 1949. Nevertheless, challenges persist in pursuing impartial justice globally. Criticisms of bias have arisen, exemplified by instances like the Nicaragua v. United States case, revealing limitations due to the Security Council's power to veto ICJ decisions. Furthermore, the ICJ faces hurdles in securing jurisdiction over contentious cases, relying heavily on the consent of conflicting parties for exercising its authority.



## Topic A: Egypt v. Ethiopia – The Renaissance Dam

### I. Introduction

In 2011, the Ethiopian government started the construction of the Ethiopian Renaissance Dam on the Blue Nile River, close to its borders with Sudan. Egypt, whose people rely heavily on the river's water, for irrigation, drinking water, and other industrial or household uses, has long stood against the Dam's construction as it fears it will negatively affect water flow to the country. Egypt has used agreements made in 1929, and 1959 to prevent any such building of Dams along the Nile River that would threaten its water security; however, Ethiopia was able to initiate the construction of the Dam with funding from several parties.

### II. History

This issue has been worsened by the lack of clear international charter or convention governing the construction of dams or structures that control water flow through several countries. Although some agreements and conventions related to the topic do exist (see Bibliography, Relative International Documents), Ethiopia was not part of constituting these agreements and thus thinks they don't hold equitable or legal ground. Which also applies to the 1929 and 1959 agreements between Egypt and Sudan, that gave Egypt power over any projects along the Nile River.

In the beginning of planning and initiating the project Egypt was aiming to stop it in its entirety; however, as the project moved on without any noticeable pause, Egypt moved to the direction of attempting to establish a political agreement, over the phases of construction and filling and the annual schedule the dam has to follow.

### III. International Actions

In 2015, the three countries concerned, Egypt, Sudan and Ethiopia, came together and signed an agreement on The Declaration of Principles that is to govern the construction of the Renaissance Dam or any future structure on the Nile River. By finishing the filling of the Dam, Egypt claims Ethiopia violated the agreement and disregarded the consequences this project will have on the downstream riparian states involved. Egypt was arguing for a longer filling time to mitigate the effects the huge reservoirs may have on the river flow; however, Ethiopia continued with the filling schedule relatively unchanged.

### IV. Countries' Positions

#### A. Egypt

Egypt believes it is the country most dependent on the Nile's accurate and seasonal flow. It is in a desert, and its only source of freshwater is the Nile. One of its sources of income and employment is agriculture, made possible and convenient only because of the Nile's water. In the past years due to climate change, Egypt has been suffering a water deficit that is anticipated to peak in 2025. With a rapidly increasing population and a fluctuating economy, the Nile is the lifeline for Egypt. Many of the agricultural lands in Egypt are suffering from desertification, and many of its farmers are unable to cultivate most of their crops and land.

Ever since the announcement about the construction of the Renaissance Dam, Egypt has been trying to lobby support from several countries and regions to try and pressure Ethiopia to delay the project until an agreement is reached. These efforts continue until today, to establish a set schedule on when and how the Dam will be filled, and how it would be managed in different climate situations that affect the region.

## B. Ethiopia

Ethiopia has been planning to build the Dam since a long time. It believes the Renaissance Dam will more than double its electricity generation capacity and allow more of its population to access necessary services. It will also provide many jobs for many unemployed citizens and improve access to water for household and irrigation purposes.

Ethiopia rejects the idea that a colonial-era agreement between Egypt and Sudan can dictate how it manages its own resources and natural reservoirs. It also believes that the Renaissance Dam will positively affect the Basin Area, reducing evaporation in downstream lakes and providing better control over floods and irrigation.

Half of the Ethiopian population does not have access to electricity, and the Ethiopian government believes the Renaissance Dam will not only solve the electricity crisis but will also allow for a better economy and open many more opportunities of improvement in the future.

## V. Projections and Implications

Currently, the main disagreement is on how the Renaissance Dam will be managed in a drought. Egypt and Sudan argue that the Renaissance Dam has to release part of its reservoir in such an event, but Ethiopia prefers having control on how to manage the Renaissance Dam in such an event.

The Ethiopian Renaissance Dam, Now completely filled promises huge benefit to Ethiopia in terms of electricity generation, and many other aspects on social and economic improvement; however, downstream riparian countries do not believe it will have the anticipated capabilities, and argue it will mainly have negative consequences on the River Basin Countries, who are already facing a regression in water levels and availability due to several factors, including climate change, and ill-management of agriculture.

## VI. Conclusion

Considering the increased concerns about water security globally, such international disputes become increasingly relevant and important to address, as they affect a basic human need. And considering the advancement of the international relations and interactions

establishing an agreed upon convention that governs shared resources such as rivers, becomes crucial and increasingly necessary to mitigate international tensions and dispute that could prevent cooperation and friendly relations among neighboring countries in time when the human population needs unity the most.

## VII. Questions to be Addressed

1. How can the international community mitigate regional disputes in a manner that reduces tensions rather than intensify the polarization of the situation?
2. What steps need to be taken and by who to investigate a riparian country's concern about the effects of a project in a different country?
3. How can we develop a just and logical system that governs how we manage and maintain shared resources among different nations and countries?
4. How can we come together as a global community to solve the ever-rising concerns of the lack of water and food resources across the globe?

## VIII. RECOMMENDED READING

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## Topic B: Armenia v. Azerbaijan

### I. Introduction

The Armenia vs. Azerbaijan territorial conflict concerning Nagorno-Karabakh (N-K) is rooted in a complex history, marked by disputes over ownership and ethnic demographics. N-K, geographically within Azerbaijan, has a population predominantly composed of Armenians, leading both sides to claim rightful authority over the region.

The conflict's origins date back to 1920 when the USSR established N-K as an autonomous zone, yet tensions escalated post the USSR's dissolution. Decades of strife ensued, resulting in thousands of casualties, notably during the most recent hostilities in September 2020, which witnessed over 7,000 military and 170 civilian deaths. Armenia has taken legal action against Azerbaijan, alleging discrimination against Armenians during the conflict.

Armenia contends that N-K, despite being geographically within Azerbaijan, is a disputed territory due to its overwhelming Armenian population. Armenia asserts its rightful ownership of N-K, backed by the region's majority sentiment. Moreover, Armenia accuses Azerbaijan of consistently disregarding Armenia's claims over N-K and mistreating Armenians throughout the conflict, violating their human rights.

The jurisdiction of the court is addressed under Article 36(1) of the Statute of the Court and Article 22 of the Convention on the Elimination of Racial Discrimination (CERD). These articles stipulate that the court holds jurisdiction in cases referred by parties and matters outlined in treaties and conventions in force. Additionally, Article 22 of the CERD allows disputes between state parties regarding the application of the Convention to be referred to the ICJ.

Azerbaijan's response aims to establish that the Court lacks jurisdiction over the case and contests Armenia's claims. Azerbaijan asserts that its actions in N-K were driven by the desire

to protect Azerbaijani citizens in the region and surrounding areas. Furthermore, Azerbaijan alleges that Armenia's treatment of Azerbaijanis throughout the conflict constitutes violations of international human rights law, including the CERD.

## II. History

### A. A Historical Overview of the Nagorno-Karabakh Conflict

Nagorno-Karabakh (NK), historically part of Armenia, traces its affiliation to the era of "Greater Armenia." Post its collapse, Armenia experienced dominion under various empires, yet NK persisted within delineated Armenian provinces. In 1813, the Russian Empire annexed the region, incorporating it into the governance structure of "Transcaucasia," comprising Armenia, Azerbaijan, and Georgia. Within this framework, NK found itself in Elizavetpol, predominantly populated by Azerbaijanis.

As the Russian Empire disbanded, independent republics of Armenia, Azerbaijan, and Georgia emerged. Azerbaijan claimed control over Elizavetpol gubernia, asserting its Azerbaijani majority. However, NK residents desired absorption into the new Armenian republic. In 1918, a congress elected by NK residents unanimously voted to join Armenia. This decision, though, sparked violence by Azerbaijani military units in NK and its environs, culminating in the Shushi Massacre of 1920, claiming 20,000 Armenian lives and leading to thousands being deported from the NK city of Shushi.

Efforts were made to address NK's status at the 1920 Paris Peace Conference, but the League of Nations categorized it as "disputed territory," leaving the issue unresolved. The conflict between Armenia and Azerbaijan ceased in 1922 when the USSR took control of NK, designating it as the NK Autonomous Oblast (NKAO) within Soviet Azerbaijan. Despite NKAO being administratively linked to Soviet Azerbaijan, it was geographically and ethnically distinct from Soviet Armenia. NKAO made several unsuccessful pleas in

the 1930s, 1945, 1965, 1967, and 1970 to join Soviet Armenia, indicative of Azerbaijan's continual disregard for Armenian sentiments and NK's ethnically Armenian population.

In the post-Soviet era, direct violence erupted in various forms. In 1988, NKAO petitioned Soviet Armenia and Azerbaijan to unite with Armenia, which was met with resistance. The Sumgait Massacre in 1988 witnessed hundreds of Armenians being killed, sexually assaulted, and subjected to violence, leading Armenia to assert that the Azerbaijani government endorsed the massacre. Additionally, the Baku Program of 1990 resulted in further atrocities against Armenians.

Armenians in NK faced cultural denial, with restrictions on access to Armenian-language resources. The proclamation of NK's independence in 1991 was countered by Azerbaijan's resolution to incorporate NKR (Nagorno-Karabakh Republic) into Azerbaijan, igniting a conflict that claimed the lives of thousands until the 1994 Bishkek Protocol ceasefire. Despite this agreement, Azerbaijan breached the ceasefire multiple times, notably in 2016 and 2020.

The recent conflicts in 2016 and 2020 saw renewed violence, with territorial disputes and substantial casualties on both sides. The April 2016 clash demonstrated Azerbaijan's militaristic approach to control NK, while the July 2020 skirmishes resulted in widespread destruction and casualties, accompanied by aggressive rhetoric condoned by high-ranking Azerbaijani officials. The September 2020 war, termed the deadliest since 1994, saw a significant escalation attributed to Azerbaijan, allegedly backed by Turkey.

## B. Azerbaijan's Claims and Attempts at Peace

Azerbaijan justifies its claim over Nagorno-Karabakh through historical and geographical connections, arguing for a more rational control owing to the predominant Azerbaijani population in certain areas and geographical proximity. International actors

historically supported Azerbaijan's control over NK, dating back to demands made during the early 20th century and reiterated at various international conferences.

Azerbaijan asserts that Soviet rule and subsequent demographic shifts in NKAO increased the Azerbaijani population's presence, making it rightfully Azerbaijani upon the USSR's dissolution. Additionally, Azerbaijan condemns Armenia for the occupation of territories post-war, highlighting atrocities committed against Azerbaijanis living in these areas and citing resolutions condemning Armenia's occupation by international bodies.

Azerbaijan's recent attempts at peace talks through proposals for mutual recognition of sovereignty, refraining from threats or force, and establishing diplomatic relations were met with rejection by Armenia, indicating Armenia's reluctance for negotiations before seeking international intervention. These instances, according to Azerbaijan, illustrate Armenia's lack of willingness to engage in meaningful dialogue.

### **III. Legal Background**

#### **A. Armenia's Position**

The legal discourse surrounding the Armenia vs. Azerbaijan conflict under the Convention on the Elimination of All Forms of Racial Discrimination (CERD) is multifaceted and contentious. Adopted by the UN General Assembly in December 1965, the CERD primarily aims to eradicate racial discrimination targeting individuals or groups based on ethnicity.

Armenia asserts that Azerbaijan has perpetuated hate speech and discrimination against ethnic Armenians for decades. Allegations include widespread use and tolerance of hate speech by the Azerbaijani government and military leaders, denigrating Armenians and denying the Armenian genocide. This is seen as a violation of Article 4 of the CERD, which

condemns propaganda based on racial superiority and demands immediate action to eliminate discriminatory incitement.

Additionally, Armenia contends that Azerbaijan's treatment of Armenians within its borders violates several articles of the CERD. These alleged violations include denying access to employment, education, cultural participation, and political representation for Armenians. Actions like the opening of the Military Trophies Park, displaying derogatory figures representing Armenian soldiers, have been flagged by the EU Council as potentially intensifying hate speech.

Armenia further accuses Azerbaijan of systematically destroying Armenian cultural and religious heritage sites, presenting evidence of the destruction of significant sites and promoting ethnic cleansing policies against Armenians. Such actions are seen as a violation of several articles of the CERD, notably Article 5, which guarantees protection against violence, freedom of movement, and equal participation in cultural activities.

Armenia's claims under the CERD focus on violations across various articles, including Articles 2, 4, 5, 6, 7, and 3, signaling instances of discrimination, hate speech, and denial of rights against ethnic Armenians in Azerbaijan.

The jurisdiction of the International Court of Justice (ICJ) is invoked by Armenia, referring to Article 36 of the Court's Statute, stating the Court's jurisdiction over disputes of international law. Armenia and Azerbaijan, both parties to the CERD, have a dispute related to the application of the convention, which Armenia claims has been violated by Azerbaijan. Consequently, Armenia seeks provisional measures from the ICJ, demanding the immediate release of Armenian prisoners of war, the protection of cultural sites, the cessation of promoting anti-Armenian sentiments, prevention of evidence destruction, and refraining from escalating the Nagorno-Karabakh conflict.

Armenia's request for provisional measures seeks immediate action from Azerbaijan to address alleged violations and mitigate further harm in the ongoing conflict, in accordance with the provisions of the CERD and international law.

## B. Azerbaijan's Position

In the legal debate within the Armenia vs. Azerbaijan conflict, Chapter III: Statement of Law presents Azerbaijan's counterarguments against Armenia's claims under the Convention on the Elimination of All Forms of Racial Discrimination (CERD), focusing on jurisdiction, rejection of provisional measures, and the denial of allegations of discrimination.

Regarding jurisdiction, Azerbaijan contends that the International Court of Justice (ICJ) does not have jurisdiction over the case as the requirements of Article 22 of the CERD have not been fully met. While Azerbaijan acknowledges that two or more state parties have a dispute, it disputes whether the matter concerns the interpretation or application of the CERD and asserts that Armenia did not genuinely attempt negotiations before resorting to legal action.

Azerbaijan vehemently rejects Armenia's requests for provisional measures, arguing that they are unwarranted and inappropriate. Azerbaijan argues against the immediate release of prisoners of war, hostages, and detainees, emphasizing that only individuals convicted of war crimes are held, not on ethnic grounds, and claims to have ensured fair trials for these individuals. The nation contends that such measures jeopardize the safety of its citizens.

Additionally, Azerbaijan argues against the need for other measures proposed by Armenia, asserting that it is already taking adequate steps to protect Armenian prisoners' rights, cultural and religious sites, and to prevent racial hatred. Azerbaijan also disputes

Armenia's allegations of discrimination, citing that hate speech and wartime rhetoric should not be conflated under the CERD, highlighting instances of alleged hate speech by

Armenian authorities against Azerbaijanis and emphasizing President Aliyev's public statements aimed at peaceful cohabitation.

Moreover, Azerbaijan rebuts Armenia's accusations of discrimination against Azerbaijanis, claiming that Armenia's forces forced Azerbaijanis out of their homes and facilitated violence against them through certain groups. Azerbaijan also denounces Armenia's military actions targeting Azerbaijani civilians during the Nagorno-Karabakh conflict.

Azerbaijan's response aims to refute Armenia's claims under the CERD by challenging the jurisdiction of the ICJ, rejecting proposed provisional measures as unnecessary or unjustified, and disputing Armenia's allegations of discrimination against Azerbaijanis, presenting counterclaims and emphasizing Armenia's purported discriminatory acts.

## IV. Conclusion

In the context of the Armenia vs. Azerbaijan dispute detailed across various chapters and legal arguments, the complexity of the Nagorno-Karabakh conflict emerges as a multifaceted struggle entwined with historical, territorial, ethnic, and legal dimensions. The contentions under the Convention on the Elimination of All Forms of Racial Discrimination (CERD) illustrate a deep-seated and protracted conflict, with both parties vehemently asserting their perspectives while contesting the other's claims. Armenia and Azerbaijan have presented intricate legal arguments regarding jurisdictional aspects, rejection of provisional measures, and denials of discrimination, each aiming to invalidate or counter the claims put forth by the other. Amidst this legal debate, the dispute not only revolves around territorial ownership but also delves into broader issues encompassing hate speech, alleged discrimination, and the treatment of civilians and cultural heritage during the conflict. The intricacies of this legal battle mirror the longstanding complexity of the Armenia-Azerbaijan conflict, underscoring the challenges and complexities involved in seeking resolution through international legal frameworks.

## V. Questions to be Addressed

1. How can international courts balance the territorial integrity of Azerbaijan with the self-determination aspirations of the predominantly Armenian population in Nagorno-Karabakh?
2. What measures should be implemented to ensure the protection of cultural and religious heritage sites in the disputed regions, considering the allegations of destruction and desecration of these sites?
3. How can a resolution address the allegations of hate speech, discrimination, and human rights abuses committed by both Armenia and Azerbaijan during the conflict, while also preventing further incitement of racial animosity?
4. What role should international organizations play in monitoring and enforcing any potential resolutions or agreements reached between Armenia and Azerbaijan to ensure compliance with international law and human rights standards?

## VI. RECOMMENDED READING(s)

International Court of Justice. "Case Concerning Application of the Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)." International Court of Justice, [www.icj-cij.org/case/180](http://www.icj-cij.org/case/180).

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